Washington, Saturday, October 18, 1941

The President

Amendments of Regulations Relating to Migratory Birds

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Secretary of the Interior, under authority and direction of and in compliance with section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the act of June 20, 1936 (49 Stat. 1555), the administration of which act was transferred to the said Secretary on July 1, 1939 by Reorganization Plan No. II1 (53 Stat. 1431), has adopted and submitted to me the following amendments, which he has determined to be suitable amendments of certain of the regulations approved by Proclamation No. 23452 of August 11, 1939, as last amended by Proclamation No. 2501° of August 16, 1941, permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of migratory birds and parts, nests, and eggs thereof, included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February 7, 1936:

"AMENDMENTS OF MIGRATORY BIRD TREATY
ACT REGULATIONS ADOPTED BY THE SECRETARY OF THE INTERIOR

Under authority and direction of section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the act of June 20, 1936, 49 Stat. 1555, the administration of which act was transferred to the Secretary of the Interior on July 1, 1939, by Reorganization Plan No. II (53 Stat. 1431), I, Harold L. Ickes, Secretary of the In-

terior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined when, to what extent, and by what means it is compatible with the terms of said conventions and act to allow the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation. and importation of such birds and parts thereof and their nests and eggs, and, in accordance with such determinations, do hereby amend, as specified, the regulations approved by Proclamation No. 2345 of August 11, 1939, as last amended by Proclamation No. 2501 of August 16. 1941, and as so amended do hereby adopt such regulations as suitable regulations permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such migratory birds and parts, nests, and eggs thereof:

The fourth paragraph of Regulation 5, "Daily Bag and Possession Limits on Certain Migratory Game Birds", is amended to read as follows:

In Siskiyou County, California, and Alexander County, Illinois, no person may take more than 3 geese in the aggregate of all kinds during any 7 consecutive days. In Hyde County, North Carolina no person may take more than 6 geese in the aggregate of all kinds during any 7 consecutive days.

The second paragraph of Regulation 6, "Shipment, Transportation and Possession of Certain Migratory Game Birds", is amended to read as follows:

Not more than the number of such birds permitted by regulation 5 of these regulations to be taken by one person in 1

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¹4 F.R. 2731.

³⁴ F.R. 3621.



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day, or in 2 days in the case of ducks (except wood ducks), geese (1 day in the case of geese taken in Siskiyou County, California, and Alexander County, Iliinois), brant, and woodcock, shall be transported by any one person in 1 calendar week out of Alaska, Puerto Rico, or the State where taken or from Canada or Mexico into the United States.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed this second day of October, 1941.

> HAROLD L. ICKES. Secretary of the Interior."

AND WHEREAS upon consideration it appears that the foregoing amendments will aid in the effectuation of the purposes of the aforesaid Migratory Bird Treaty Act:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby approve and proclaim the foregoing amendments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 16th day of October, in the year [SEAL] of our Lord nineteen hundred and forty-one, and of the Independence of the United States of America the one hundred and sixty-sixth.

FRANKLIN D ROOSEVELT

By the President: CORDELL HULL, Secretary of State.

[No. 2518]

[F. R. Doc. 41-7832; Filed, October 17, 1941; 11:29 a. m.]

Rules, Regulations, Orders

TITLE 7—AGRICULTURE

CHAPTER VIII—SUGAR DIVISION OF THE AGRICULTURAL AD-JUSTMENT ADMINISTRATION

[G.S.Q.R. Series 8, No. 2, Rev. 2]

PART 821-SUGAR QUOTAS

SUGAR CONSUMPTION REQUIREMENTS FOR THE CALENDAR YEAR 1941 FOR THE TER-RITORY OF HAWAII AND FOR PUERTO RICO

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1937, as amended, I, Paul H. Appleby, Acting Secretary of Agriculture, in order to carry out the powers vested in me by the said act, do hereby make, prescribe, publish, and give public notice of these regulations, which shall have the force and effect of law and shall remain in force and effect until amended or superseded by orders or regulations hereafter made by the Secretary of Agricul-

§ 821.231 Revised consumption re-, quirements and quotas—(a) Revised consumption requirements. It is hereby determined, pursuant to section 203 of the Sugar Act of 1937 (hereinafter referred to as the "act"), as amended, that the amount of sugar needed to meet the requirements of consumers in the Territory of Hawaii for the calendar year 1941 is 37,065 short tons of sugar, raw value, and that the amount of sugar needed to meet the requirements of consumers in Puerto Rico for the calendar year 1941 is 86,315 short tons of rugar, raw value.

(b) Revised local consumption quotas. There are hereby established, pursuant to section 203 of the said act, for local consumption in the Territory of Hawaii and in Puerto Rico, for the calendar year 1941, the following quotas:

Quotas in terms of short tons. Area: raw value 37,065 Hawaii.

(Sec. 203, 50 Stat. 905; 7 U.S.C., 1113)

§ 821.232 Restrictions on marketing. For the calendar year 1941, all persons are hereby forbidden, pursuant to section 209 of the said act, from marketing in the Territory of Hawaii or in Puerto Rico, for consumption therein, any sugar or liquid sugar after the quota for the year has been filled. (Sec. 209, 50 Stat. 908; 7 U.S.C., 1119.)

§ 821.233 Rescission of prior regulations. These regulations (§§ 821.231-821.232) shall supersede General Sugar

Quota Regulations, Series 8, No. 2, Rev. 1, issued July 22, 1941.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the District of Columbia, city of Washington, this 17th day of October 1941.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 41-7836; Filed, October 17, 1941; 11:34 a. m.]

TITLE 19—CUSTOMS DUTIES

CHAPTER 1—BUREAU OF CUSTOMS [T.D. 50494]

PART 4—APPLICATION OF CUSTOMS LAWS TO AIR COMMERCE ²

BUFFALO LAUNCH CLUB SEAPLANE BASE, BUF-FALO, NEW YORK, REDESIGNATED AS AN AIRPORT OF ENTRY FOR A PERIOD OF ONE YEAR

OCTOBER 15, 1941.

The Buffalo Launch Club Seaplane Base, Buffalo, New York, is hereby redesignated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of one year from October 16, 1941. (Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b)).

Iseall John L. Sullivan,
Acting Secretary of the Treasury.

[F. R. Doc. 41-7848; Filed, October 17, 1941; 11:57 a. m.]

TITLE 20-EMPLOYEES' BENEFITS

CHAPTER I—UNITED STATES EM-PLOYEES' COMPENSATION COM-MISSION

SUBCHAPTER A—UNITED STATES EM-PLOYEES' COMPENSATION ACT

PART 2—FURNISHING OF MEDICAL TREATMENT

Pursuant to the authority contained in section 32 of the United States Employees' Compensation Act approved September 7, 1916 (39 Stat. 749; 5 U.S.C. 783), the regulations promulgated by the United States Employees' Compensation Commission to govern the administration of such Act are hereby amended as follows:

Section 2.6 is amended to read as follows:

§ 2.6 Authority for dental treatment. All necessary dental treatment, including repairs to fixed false teeth or to natural teeth, needed to repair damage done by an injury will be furnished by the Commission. Such treatment shall be rendered by or upon the order of a United States dental officer or United States medical establishment, when available and practicable. If such facilities are not available, or treatment by such facilities is not practicable, no dental work should be authorized without obtaining in advance the approval of the Commission. For cases requiring emergency treatment see § 2.2. For cases requiring artificial denture see § 2.9. (Sec. 32, 39 Stat. 749; 5 U.S.C. 783)

SUBCHAPTER B—EXTENSION OF THE UNITED STATES EMPLOYEES' ACT TO EMERGENCY RELIEF EMPLOYEES, ENROLLED PERSONNEL IN THE CIVILIAN CONSERVATION CORPS AND OTHERS

PART 22—FURNISHING OF MEDICAL TREAT-

Pursuant to the authority contained in section 32 of the United States Employees' Compensation Act approved September 7, 1916, (39 Stat. 749; 5 U.S.C. 783) the regulations promulgated by the United States Employees' Compensation Commission to govern the administration of such Act are hereby amended as follows:

Section 22.6 is amended to read as follows:

§ 22.6 Authority for dental treatment. All necessary dental treatment, including repairs to fixed false teeth, or to natural teeth, needed to repair damage done by an injury, will be furnished by the Com-Such treatment shall be mission. rendered by or upon the order of a United States dental officer or United States medical establishment, when available and practicable. If such facilities are not available, or treatment by such facilities is not practicable, no dental work should be authorized without obtaining in advance the approval of the Commission. For cases requiring emergency treatment see § 22.2. For cases requiring artificial denture, see § 22.9. (39 Stat. 749; 5 U.S.C. 783)

By the Commission.

WILLIAM McCauley, Secretary.

Dated: October 17, 1941.

[F. R. Doc. 41-7831; Filed, October 28, 1941; 11:28 a. m.]

CHAPTER II—RAILROAD RETIRE-MENT BOARD

PART 250—REPORTS, INFORMATION, HEAR-INGS AND WITNESSES

AMENDMENT TO REGULATIONS UNDER THE RAILROAD RETIREMENT ACT OF 1937

Pursuant to the general authority contained in section 10 of the Act of June 24, 1937 (Sec. 10, 50 Stat. 314; 45 U.S.C. Sup. III, 228j), §§ 250.02, 250.03, 250.04, and 250.05 of the Regulations of the Railroad Retirement Board under such Act (4 F.R. 1477) are amended, effective

October 14, 1941, by Board Order 41-435 dated October 14, 1941, to read as follows:

§ 250.02 Employer to notify of death of employee. Each employer shall notify the Board of the death of any employee in active employment, and when known, of the death of any employee in an employment relation, within thirty days following the receipt by the employer of notice of such death. Such notice and any information which the Board may require in connection therewith shall be submitted on the form provided by the Board for that purpose. (Sec. 10, 50 Stat. 314; 45 U.S.C. Sup. III, 228j)

§ 250.03 Employers' reports of monthly compensation of employees. (a) Unless otherwise specifically agreed heretofore or hereafter, in writing, by the director of wage and service records, each employer shall, in accordance with instructions issued by the director of wage and service records, file with the Board (1) on or before the last day of each month. a report of the compensation adjustments appearing on pay rolls or other disbursement documents for the month immediately preceding such month, and (2) on or before the last day of the month immediately following the end of each calendar quarter:

(i) A report of the compensation carned by each employee for service during each month of the quarter, which report shall show with respect to each employee his name, his account number, and, except in the case of an employee of a railway-labor-organization employer, his occupational class under the appropriate Interstate Commerce Commission occupational classification as supplemented or varied for this purpose by instructions issued by the director of wage and service records and approved in this respect by the director of research.

(ii) A summary of compensation adjustments reported for the quarter.

(iii) A summary report of the compensation of employees for the quarter.

If such last day of the month is a Sunday or legal holiday, the report may be filled on the next following business day. If placed in the mails, the report shall be posted in ample time to reach the office of the Board at Washington, D. C., under ordinary handling of the mails, on or before the date on which the report is required to be filed.

(b) For the purpose of providing a test of annual reporting, the director of wage and service records is authorized to approve, with the consent of the director of unemployment insurance and coordinator of operations, agreements with employers whereby, for the calendar year 1941, there shall be filed by such employers, in lieu of the reports required under (a) above, such reports as the director of wage and service records may prescribe. Agreements shall be approved only with employers whose accounting facilities and practices are adapted to the making of such test; and the number of such employers participating in the test

¹⁶ F.R. 3627.

²This document affects the tabulation in 19 CFR 4.13.

shall be no more than is deemed sufficient for an adequate test. (Sec. 10, 50 Stat. 314; 45 U.S.C. Sup. III, 228j)

§ 250.04 Registration of employees.

(a) Each employer shall require each employee who cannot furnish satisfactory evidence of having previously filed an employee registration form provided by the Board to execute such form, and shall complete and file such form with the Board by whichever is the earlier of (1) thirty days after the date on which such employee first performed compensated service for such employer, or (2) the date upon which such employer first files with the Board a report of the service and compensation of such employee.

(b) Each employer shall also, when so required by the Board, deliver account number cards to employees, and shall furnish the Board with such notice of multiple account numbers and corrections in identifying data as may be required by instructions issued by the director of wage and service records. (Sec. 10, 50 Stat. 314; 45 U.S.C. Sup. III, 228j)

§ 250.05 Employers to transmit annual statements of compensation. Each employer shall transmit to each of its employees an annual statement, prepared by the Board and forwarded to such employer, of the service months and compensation credited to such employee on the records of the Board. Such statements shall be transmitted to the employees within thirty days of the date on which they are forwarded by the Board to the employer: Provided, however, That statements which cannot be transmitted to the employees within such thirty days shall be held for a further thirty days and be returned to the Board at the end of sixty days. (Sec. 10, 50 Stat. 314; 45 U.S.C. Sup. III, 228j)

By Authority of the Board.

[SEAL]

John C! Davidson, Secretary.

Dated: October 17th, 1941

[F. R. Doc. 41-7847; Filed, October 17, 1941; 11:49 a. m.]

TITLE 29-LABOR

CHAPTER V—WAGE AND HOUR DIVISION

WAGE ORDER IN THE MATTER OF THE REC-OMMENDATION OF INDUSTRY COMMITTEE No. 26 FOR A MINIMUM WAGE RATE IN THE JEWELRY MANUFACTURING INDUS-TRY

PART 607—MINIMUM WAGE RATE AND REGU-LATIONS APPLICABLE TO THE EMPLOYMENT OF HOME WORKERS IN THE JEWELRY MANUFACTURING INDUSTRY

Whereas on April 24, and May 14, 1941, by Administrative Orders Nos. 100 and 107, the Administrator, acting pursuant to Sections 5 and 8 of the Fair Labor Standards Act of 1938, appointed Industry Committee No. 26 for the Jewelry Manufacturing Industry, and directed the Committee to recommend minimum

wage rates for the Jewelry Manufacturing Industry in accordance with Section 8 of the Act; and

Whereas the Committee included six disinterested persons representing the public, a like number of persons represeting employers in the Jewelry Manufacturing Industry, and a like number representing employees in the Industry, and each group was appointed with due regard to the geographical regions in which the Jewelry Manufacturing Industry is carried on; and

Whereas Industry Committee No. 26, on May 19, 1941, after investigation of conditions in the Industry, filed with the Administrator a report containing its recommendation for a minimum wage rate of 40 cents an hour in the Jewelry Manufacturing Industry; and

Whereas after notice published in the FEDERAL REGISTER on May 30, 1941, Henry T. Hunt, Esquire, the Presiding Officer designated by the Administrator, held a public hearing on June 24, 1941, at Washington, D. C., upon the Committee's recommendation and upon the question of what, if any, prohibition, restriction or regulation of home work is necessary to carry out the purposes of the wage order for the Jewelry Manufacturing Industry, to prevent the circumvention or evasion thereof and to safeguard the minimum wage rates established therein, in the event an order is issued approving the recommendations of the Committee, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer was transmitted to the Administrator;

Whereas all persons at said public hearing before the Presiding Officer were given leave to file briefs until July 8, 1941, and to present oral argument on July 15, 1941; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to Sections 5 and 8, has concluded that the Industry Committee's recommendation for a minimum wage rate for the Jewelry Manufacturing Industry, as defined in Administrative Order No. 100, is made in accordance with law, is supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of Section 8 of the Act and that it is necessary to include terms and conditions in the wage order for this industry with respect to industrial home work to carry out the purposes of such order, to prevent the circumvention or evasion thereof and to safeguard the minimum wage rates established therein: and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 26

for a Minimum Wage Rate in the Jewelry Manufacturing Industry and Industrial Home Work in the Jewelry Manufacturing Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington, D. C.;

Now, therefore, it is ordered, That:

§ 607.1 Approval of recommendation of industry committee. The Committee's recommendation is hereby approved.

* §§ 607.1 to 607.7, inclusive, issued under the authority contained in sec. 8, 52 Stat. 1064; 29 U.S.C., Sup., 208.

§ 607.2 Wage rate. Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the Jewelry Manufacturing Industry who is engaged in commerce or in the production of goods for commerce.*

§ 607.3 Restriction of home work. No work in the Jewelry Manufacturing Industry, as defined herein, shall be done in or about a home, apartment, tenement, or room in a residential establishment, except by such persons as have obtained special home-work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by any worker who was engaged in industrial home work in the Jewelry Manufacturing Industry prior to July 1, 1941, and is unable to adjust to factory work because of age or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home.*

§ 607.4 Posting of notices. Every employer employing any employees engaged in commerce or in the production of goods for commerce in the Jewelry Manufacturing Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.*

§ 607.5 Definition of the jewelry manufacturing industry. The Jewelry Manufacturing Industry, to which this order shall apply, is hereby defined as follows:

(a) The manufacturing, processing, or assembling, wholly or partially from any material, of jewelry, commonly or commercially so known. Jewelry as used herein includes, without limitation, religious, school, college, and fraternal insignia; articles of ornament or adornment designed to be worn on apparel or carried on or about the person, including without limitation, cigar and cigarette cases, holders, and lighters; watch cases; metal mesh bags and metal watch bracelets; and chain, mesh, and parts for use in the manufacture of any of the articles included in this definition. Jewelry as used herein does not include pocket knives, cigar cutters, badges, emblems, military and naval insignia, belt buckles, and handbag and pocketbook frames and clasps, or commercial compacts and vanity cases, except when made from or embellished with precious metals or precious, semiprecious, synthetic or imitation stones; and the assaying, refining, and smelting of base or precious metals.

The term "parts" as used in the foregoing paragraph does not include parts which are used predominantly for products other than jewelry, such as springs, blades, and nail files. The term "commercial compacts and vanity cases" as used means compacts and vanity cases which bear the trade name or mark of a cosmetic manufacturer and are made for the purpose of distributing or advertising said cosmetics.

- (b) The manufacturing, cutting, polishing, encrusting, engraving, and setting of precious, semiprecious, synthetic; and imitation stones.
- (c) The manufacturing, drilling, and stringing of pearls, imitation pearls, and beads designed for use in the manufacture of jewelry.*

§ 607.6 Scope of the definition. The definition of the Jewelry Manufacturing Industry covers all occupations in the industry which are necessary to the production of the products covered in the definition, including clerical, maintenance, shipping, and selling occupations: Provided, however, That this definition does not cover employees of a manufacturer, assembler, processor, or independent wholesaler who are engaged exclusively in marketing and distributing products of the industry which have been purchased for resale: And provided further, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.*

§ 607.7 Effective date. This Wage Order shall become effective November 3, 1941.*

Signed at Washington, D. C., this 16th day of October, 1941.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-7843; Filed, October 17, 1941; 11:47 a. m.]

PART 607—MINIMUM WAGE RATE AND REGULATIONS APPLICABLE TO THE EMPLOYMENT OF HOME WORKERS IN THE JEWELRY MANUFACTURING INDUSTRY

The following Regulations, §§ 607.101-607.112 applicable to the employment of industrial home workers in the Jewelry Manufacturing Industry are hereby issued pursuant to sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938, and § 607.3 of the Regulations of the Wage and Hour Division. These regulations shall become effective November 3, 1941, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

Signed at Washington, D. C., this 16th day of October, 1941.

PHILIP B. FLEMING,
Administrator.

Whereas, section 8 (f) of the Fair Labor Standards Act of 1938 provides as follows:

Orders issued under this section chall

• • • contain such terms and conditions
as the Administrator finds necessary to carry
out the purposes of such orders, to prevent
the circumvention or evasion thereof, and to
safeguard the minimum wage rates established therein. • • •

And, whereas, § 607.3 of the wage order for the Jewelry Manufacturing Industry issued pursuant to section 8 (f) of the Act provides as follows:

§ 607.3 Restriction of Home Work. No work in the Jewelry Manufacturing Industry, as defined herein, shall be done in or about a home, apartment, tenement, or room in a residential establishment, except by such persons as have obtained special home work extificates issued purcuant to applicable regulations of the Wage and Hour Divicion, authorizing industrial home work by any worker who was engaged in industrial home work in the Jewelry Manufacturing Industry prior to July 1, 1941 and is unable to adjust to factory work because of age or physical or mental disability or is unable to leave home because his presence is required to care for an invalid in the home.

And whereas, section 11 (c) of the Act provides as follows:

Every employer subject to any provision of this Act or of any crder issued under this Act shall make, keep, and preserve such records of the persons employed by him and of the wages, hours, and other conditions and practices of employment maintained by him, and shall preserve such records for such periods of time and shall make such reports therefrom to the Administrator as he shall prescribe by regulation or order as necessary or appropriate for the enforcement of the provisions of this Act or the regulations or orders theremader.

Now, therefore, the following regulations are hereby issued. The regulations in §§ 607.101-607.112 shall become effective on November 3, 1941, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

§ 607.101 Definitions. As used in the regulations in §§ 607.101-607.112, the term "industrial home work" means the production by any person in or about a home, apartment, tenement, or room in a residential establishment, for an. employer, of goods from material furnished directly by or indirectly for such employer.

"The Jewelry Manufacturing Industry" as used herein means:

(a) The manufacturing, processing, or assembling, wholly or partially from any material, of jewelry, commonly or commercially so known. Jewelry as used herein includes, without limitation, religious, school, college, and fraternal insignia; articles of ornament or adornment designed to be worn on apparel or carried on or about the person, including without limitation, cigar and cigarette cases, holders, and lighters; watch cases; metal mesh bags and metal watch bracelets; and chain, mesh, and parts for use in the manufacture of any of the articles included in this definition. Jewelry as used herein does not include pocket

knives, cigar cutters, badges, emblems, military and naval insignia, belt buckles, and handbag and pocketbook frames and clasps, or commercial compacts and vanity cases, except when made from or embellished with precious metals or precious, semiprecious, synthetic, or imitation stones; and the assaying, refining, and smelting of base or precious metals.

The term "parts" as used in the foregoing paragraph does not include parts which are used predominantly for products other than jewelry, such as springs, blades, and nail files. The term "commercial compacts and vanity cases" as used means compacts and vanity cases which bear the trade name or mark of a cosmetic manufacturer and are made for the purpose of distributing or advertising said cosmetics.

(b) The manufacturing, cutting, polishing, encrusting, engraving, and setting of precious, semiprecious, synthetic, and imitation stones.

(c) The manufacturing, drilling, and stringing of pearls, imitation pearls, and beads designed for use in the manufacture of jewelry.

§ 607.102 Applications on official forms. Certificates authorizing the employment of industrial home workers in the Jewelry Manufacturing Industry may be issued upon the following terms and conditions upon application therefor on forms provided by the Wage and Hour Division. Such forms shall be signed by both the home worker and the employer.

§ 607.103 Terms and conditions for the issuance of certificates. If the application is in proper form and sets forth facts showing that the worker—

- (a) Was engaged in industrial home work in the Jewelry Manufacturing Industry prior to July 1, 1941; and
- (b) Is unable to adjust to factory work because of age or physical or mental disability; or
- (c) Is unable to leave home because the worker's presence is required to care for an invalid in the home,

a certificate may be issued authorizing the applicant employer to employ the worker in industrial home work in the Jewelry Manufacturing Industry.

No home worker shall perform industrial home work for more than one employer in the Jewelry Manufacturing Industry, but home work employment in another industry shall not be a bar to the issuance of a certificate for the Jewelry Manufacturing Industry.

§ 607.104 Investigation may be ordered to determine whether the facts justify the issuance of a certificate. An investigation may be ordered in any case to obtain additional data or facts. A medical examination of the worker or invalid may be ordered or a certification of facts concerning eligibility for the certificate by designated officers of the State or Federal Government may be required.

§ 607.105 Termination of certificates. Certificates shall be valid under the terms set forth in the certificate for a period of hot more than 12 months from

the date of issuance or such shorter period as may be fixed in the certificate. Application for renewal of any certificate shall be filed in the same manner as an original application under §§ 607.101-607.112.

§ 607.106 Revocation and cancellation. Any certificate may be revoked for cause at any time. Violation of any provision of the Fair Labor Standards Act shall be sufficient grounds for revocation of all certificates issued to an employer, in which event no certificates shall issue to the offending employer for a period of one year. In any proceeding for the revocation or cancellation of a certificate, interested parties shall be provided an opportunity to be heard.

§ 607.107 Preservation of certificate. A copy of the certificate shall be sent to the home worker, who shall keep such certificate on the premises on which the work is performed.

A copy of the certificate shall be sent to the employer, who shall keep this copy on file in the same place at which the worker's employment records are maintained.

§ 607.108 Records and reports. The issuance of a certificate shall not relieve the employer of the duty of maintaining the records required by Regulations, Part 516, and failure to keep such records shall be sufficient cause for the cancellation of certificates issued to such an employer.

Each employer of industrial home workers in the Jewelry Manufacturing Industry shall submit to the regional office of the Wage and Hour Division for the region in which his place of business is located on February 1 and August 1 of each year, the home work handbooks of each employee employed by him during the preceding six month period in industrial home work in the Jewelry Manufacturing Industry. This report shall also include a list of the names. addresses, and certificate numbers of home workers for whom home work certificates have been obtained but who were not employed in industrial home work in the Jewelry Manufacturing Industry during such period.

§ 607.109 Wage rates. Wages at a rate of not less than 40 cents per hour shall be paid by every employer to each of his home work employees except as subminimum employment of specific handicapped workers has been provided for by special certificates issued by the Wage and Hour Division pursuant to Regulations, Part 524. All hours worked in excess of 40 in any workweek shall be compensated for at one and one-half times the regular rate of pay.

§ 607.110 Delegation of authority to grant, deny, or cancel a certificate. The Administrator may from time to time designate and appoint members of his staff or State agencies as his authorized representatives with full power and authority to grant, deny, or cancel home work certificates.

§ 607.111 Petition for review. Any person aggreed by the action of an authorized representative of the Administrator in granting or denying a certificate may,

within 15 days thereafter or within such additional time as the Administrator for cause shown may allow, file with the Administrator a petition for review of the action of such representative praying for such relief as is desired. Such petition for review, if duly filed, will be acted upon by the Administrator or an authorized representative of the Administrator who took no part in the proceeding being reviewed. All interested parties will be aforded an opportunity to present their views in support of or in opposition to the matters prayed for in the petition.

§ 607.112 Petition for amendment of regulations. Any person wishing a revision of any of the terms of the foregoing regulations may submit in writing to the Administrator a petition setting forth the changes desired and reasons for proposing them. If upon inspection of the petition the Administrator believes that reasonable cause for amendment of the rules and regulations is set forth, the Administrator will either schedule a hearing with due notice to interested persons or will make other provisions to afford interested persons opportunity to present their views in support of or in opposition to the proposed changes. The foregoing sections are issued pursuant to § 607.3 of the Regulations of the Wage and Hour Division and sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938.

[F. R. Doc. 41-7846; Filed, October 17, 1941; 11:48 a. m.]

PART 608—MINIMUM WAGE RATE IN THE SHOE MANUFACTURING AND ALLIED INDUSTRIES

WAGE ORDER IN THE MATTER OF THE REC-OMMENDATION OF INDUSTRY COMMITTEE NO. 35 FOR A MINIMUM WAGE RATE IN THE SHOE MANUFACTURING AND ALLIED INDUSTRIES

Whereas on July 8, 1941, pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 119, appointed Industry Committee No. 35 for the Shoe Manufacturing and Allied Industries, herein called the Committee, and directed the Committee to recommend a minimum wage rate for the Shoe Manufacturing and Allied Industries in accordance with Section 8 of the Act; and

Whereas the Committee included nine disinterested persons representing the public, a like number of persons representing employers in the Shoe Manufacturing and Allied Industries, and a like number of persons representing employees in the Industries, and each group was appointed with due regard to the geographical regions in which the Shoe Manufacturing and Allied Industries are carried on; and

Whereas on August 25, 1941, the Committee, after investigating economic and competitive conditions in the Industries, filed with the Administrator a report containing its recommendation for a 40 cent minimum hourly wage rate in the Shoe

Manufacturing and Allied Industries;

Whereas after notice published in the FEDERAL REGISTER on August 28, 1941, Mr. Thomas Holland, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at Washington, D. C. on September 12, 1941, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer has been transmitted to the Administrator; and

Whereas by notice given at the hearing, all persons who appeared at the hearing were given leave to file briefs on or before October 1, 1941; and

Whereas no request for oral argument having been received, oral argument on the Committee's recommendation was dispensed with in this proceeding; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, has concluded that the Industry Committee's recommendation for the Shoe Manufacturing and Allied Industries, as defined by Administrative Order No. 119, is made in accordance with law, is supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 35 for a Minimum Wage Rate in the Shoe Manufacturing and Allied Industries," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington, D. C.;

Now, therefore, it is ordered, That:

§ 608.1 Approval of recommendation of industry committee. The Committee's recommendation is hereby approved.*

* §§ 608.1 to 608.6, inclusive, issued under the authority contained in sec. 8, 52 Stat. 1064; 29 U.S.C., Sup., 208.

§ 608.2 Wage rate. Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the Shoe Manufacturing and Allied Industries who is engaged in commerce or in the production of goods for commerce.*

§ 608.3 Posting of notices. Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Shoe Manufacturing and Allied Industries shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this Order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.*

§ 608.4 Definition of the shoe manufacturing and allied industries. The Shoe Manufacturing and Allied Industries, to which this Wage Order shall apply, are defined as follows:

(a) The manufacture or partial manufacture of footwear from any material and by any process except knitting, vulcanizing of the entire article or vulcanizing (as distinct from cementing) of the sole to the upper.

(b) The manufacture or partial manufacture of the following types of footwear, subject to the limitations of paragraph (a) but without prejudice to the generality of that paragraph:

Athletic shoes,
Boot tops.
Burial shoes.
Custom-made boots or shoes.
Moccasins.

Puttees, except splral puttees,
Sandals.
Shoes completely rebuilt in a shoe factory.
Slippers.

(c) The manufacture from leather or from any shoe-upper material of all cut stock and findings for footwear, including bows, ornaments, and trimmings.

(d) The manufacture of the following types of cut stock and findings for footwear from any material except from rubber or composition of rubber, molded to shape:

Outsoles, Shanks.
Midsoles, Boxtoes,
Insoles, Counters.
Taps. Stays.
Lifts. Stripping,
Rands. Sock linings.
Toplifts, Heel pads.
Bases.

(e) The manufacture of heels of any material except molded rubber, but not including the manufacture of wood-heel blocks.

(f) The manufacture of cut upper parts for footwear, including linings, vamps and quarters.

(g) The manufacture of pasted shoe stock.

(h) The manufacture of boot and shoe patterns.*

§ 608.5 Scope of the definition. The definition of the Shoe Manufacturing and Allied Industries covers all occupations in the industries which are necessary to the production of the articles covered in the definition including clerical, maintenance, shipping, and selling occupations: Provided, however, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.*

§ 608.6 Effective date. This Wage Order shall become effective November 3 1941 *

Signed at Washington, D. C., this 15th day of October, 1941.

PHILIP B. FLEMING,

Administrator.

[F. R. Doc. 41-7842; Filed, October 17, 1941; 11:47 a. m.]

PART 610—MINIMUM WAGE RATES IN THE LUMBER AND TIMEER PRODUCTS INDUS-

WAGE ORDER IN THE MATTER OF THE RECOM-MENDATION OF INDUSTRY COMMITTEE NO. 30 FOR A MINIMUM WAGE RATE IN THE LUMBER AND TIMBER PRODUCTS INDUSTRY

Whereas on May 17, 1941, pursuant to section 5 of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Acting Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 109, appointed Industry Committee No. 30 for the Lumber and Timber Products Industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Lumber and Timber Products Industry in accordance with section 8 of the Act; and

Whereas the Committee included eight disinterested persons representing the public and a like number of persons representing employers in the Lumber and Timber Products Industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the Lumber and Timber Products Industry is carried on: and

Whereas on June 27, 1941, the Committee, after investigation of economic and competitive conditions in the industry, filed with the Administrator a report containing its recommendation for a 35 cent minimum hourly wage rate in the Lumber and Timber Products Industry; and

Whereas after notice published in the FEDERAL REGISTER on July 17, 1941, Mr. Henry T. Hunt, Principal Hearings Examiner of the Wage and Hour Division, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendations at Washington, D. C., on August 5, 1941, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer has been transmitted to the Administrator; and

Whereas all persons who appeared at the hearing were given leave to file briefs on or before August 20, 1941; and

Whereas no requests for oral argument having been received, oral argument on the Committee's recommendation was dispensed with in this proceeding; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, concludes that the Industry Committee's recommendation for the Lumber and Timber Products Industry, as defined by Administrative Order No. 109, is made in accordance with law, is supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purpose of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 30 for a Minimum Wage Rate in the Lumber and Timber Products Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington, D. C.;

Now, therefore, it is ordered, That— § 610.1 Approval of recommendation of industry committee. The Committee's recommendation is hereby approved.*

*\$\$ 610.1 to 610.6, inclusive, issued under the authority contained in sec. 8, 52 Stat. 1064; 29 U.S.C., Sup., 203.

§ 610.2 Wage rates. Wages at a rate of not less than 35 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the Lumber and Timber Products Industry who is engaged in commerce or in the production of goods for commerce.*

§ 610.3 Posting of notices. Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Lumber and Timber Products Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this Order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.*

§ 610.4 Definition of the lumber and timber products industry. The Lumber and Timber Products Industry to which this Order shall apply is hereby defined as follows:

Wood saw milling and surfacing; wood reworking, including but without limitation kiln or air drying, and the manufacture of planing mill products, dimension stock, boxes, and wood turnings and shapings; and the manufacture of specialized timber products including but without limitation shingles, cooperage stock, veneer, plywood, and veneer packaging: Provided, however, That the term does not include cooperage or the manufacture of cigar boxes, cork products, reed and rattan products except vegetable and fruit baskets, or furniture and furniture parts as defined in Administrative Order No. 103.

The manufacture of any products covered under this definition shall be deemed to begin with the unloading of the raw material at the mill site.*

§ 610.5 Scope of the definition. The definition of the Lumber and Timber Products Industry covers all occupations in the industry which are necessary to the production of products covered in the definition including clerical, maintenance, shipping and selling occupations: Provided, however, This definition does not cover clerical, maintenance, shipping and selling occupations when carried on in an establishment, the greater part of whose sales are of products not covered in the definition, or employees of an independent wholesaler or

employees of a manufacturer who are engaged exclusively in marketing and distributing products of the industry which have been purchased for resalet and provided further, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.*

§ 610.6 Effective date. This Wage Order shall become effective November 3, 1941.*

Signed at Washington, D. C., this 17th day of October 1941.

PHILIP B. FLEMING,

Administrator.

[F. R. Doc. 41-7844; Filed, October 17, 1941; 11:47 a. m.]

PART 611—MINIMUM WAGE RATES IN THE WOOD FURNITURE MANUFACTURING INDUSTRY

WAGE ORDER IN THE MATTER OF THE RECOM-MENDATION OF INDUSTRY COMMITTEE NO. 29 FOR A MINIMUM WAGE RATE IN THE WOOD FURNITURE MANUFACTURING IN-DUSTRY

Whereas on May 17, 1941, pursuant to section 5 of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 108, appointed Industry Committee No. 29 for the Wood Furniture Manufacturing Industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Wood Furniture Manufacturing Industry in accordance with Section 8 of the Act; and

Whereas the Committee included eight disinterested persons representing the public and a like number of persons representing employers in the Wood Furniture Manufacturing Industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the Wood Furniture Manufacturing Industry is carried on; and

Whereas on June 23, 1941, the Committee, after investigation of economic and competitive conditions in the industry, filed with the Administrator a report containing its recommendation for a 40 cent minimum hourly wage rate in the Wood Furniture Manufacturing Industry; and

Whereas after notice published in the FEDERAL REGISTER on July 15, 1941, Henry T. Hunt, Esquire, Principal Hearings Examiner, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at Washington, D. C., on August 12 and 13, 1941, at which all interested persons were given an opportunity to be heard: and

Whereas the complete record of the proceeding before the Presiding Officer has been transmitted to the Administrator; and

Whereas all persons who appeared at the hearing were given leave to file briefs on or before August 29, 1941; and

Whereas oral argument on the Committee's recommendation was heard by the Administrator on September 4, 1941; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, concludes that the Industry Committee's recommendation for the Wood Furniture Manufacturing Industry, as defined by Administrative Order No. 108, is made in accordance with law, is supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purpose of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 29 for the Wood Furniture Manufacturing Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington, D. C.;

Now, therefore, it is ordered, That § 611.1 Approval of recommendation of industry committee. The Committee's recommendation is hereby approved.*

*§§ 611.1 to 611.6, inclusive, issued under the authority contained in sec. 8, 52 Stat. 1064; 29 U.S.C., Sup., 208.

§ 611.2 Wage rates. Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the Wood Furniture Manufacturing Industry who is engaged in commerce or in the production of goods for commerce.*

§ 611.3 Posting of notices. Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Wood Furniture Manufacturing Industry shall post

and keep posted in a conspicuous place in each department of his establishment where such employees are working such nótices of this Order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.*

§ 611.4 Definition of the wood furniture manufacturing industry. The Wood Furniture Manufacturing Industry to which this Order shall apply is hereby defined as follows:

The manufacturing, assembling, upholstering and finishing, from wood, reed, rattan, willow, and fiber, of upholstered and other household, office, lawn, camp, porch, and juvenile and toy furniture, including but without limitation porcelain top breakfast furniture and radio, phonograph and sewing machine cases and cabinets; the manufacturing and assembling, from wood, of furniture parts for the above, separately, set up or knocked down including but without limitation parlor furniture frames and chairs in the white.

The manufacturing of any products covered under this definition shall be deemed to begin following the delivery of the wood from the kiln or from the airdried dimension shed.*

§ 611.5 Scope of the definition. The definition of the Wood Furniture Manufacturing Industry covers all occupations in the industry which are necessary to the production of products covered in the definition including clerical, maintenance, shipping and selling occupations: Provided, however, This definition does not cover clerical, maintenance, shipping and selling occupations when carried on in an establishment, the greater part of whose sales are of products not covered in the definition, or employees of an independent wholesaler or employees of a manufacturer who are engaged exclusively in marketing and distributing products of the industry which have been purchased for resale: And provided further, That where an employee covered by this definition is employed during the same workweek at two or more minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.*

§ 611.6 Effective date. This Wage Order shall become effective November 3, 1941.

Signed at Washington, D. C., this 17th day of October 1941.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-7845; Filed, October 17, 1941; 11:47 a. m.]

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CHAPTER III—BITUMINOUS COAL PITLE 30-MINERAL RESOURCES DIVISION

Part 323-Minimum Price Schedule, [Docket No. A-1048] DISTRICT No. 3

order granting temporary relief and con-DITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DIS-TRICT BOARD NO. 3 FOR THE ESTABLISH-MENT OF PRICE CLASSIFICATIONS AND MINI-MUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 3

An original petition, pursuant to section 4 H (d) of the Bituminous Goal Act of 1937, having been duly filed with this An original petition, pursuant to

Price Schedule for District No. 3 and supplements thereto.

tions and minimum prices for the coals of certain mines in District No. 3; and The Director finding that a reasonable Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifica-

the granting of temporary relief in the No petitions of intervention having been filed with the Division in the abovemanner hereinatfer set forth; and

showing of necessity has been made for

is necessary in order to effectuate the The Director deeming that this action entitled matter; and

Now, therefore, it is ordered, That, pending final disposition of the aboveentitled matter, temporary relief be, and purposes of the Act

Supplement R-II, \$ 323.8 (Special prices—(c) Railroad fuel prices for movement via all lakes—all ports) is amended by adding thereto Supplement R-III, and \$ 323.23 (General prices) is Commencing forthwith, § 323.6 (Alphabetical list of code members) is amended ц T, which supplements are hereinafter set forth and hereby made a part hereof. § 323.8 (Special prices—(b) Railroad fuel amended by adding thereto Supplement thereto Supplement R-I. granted as follows: prices for all movements except the same hereby is, adding

orth and hereby mane a pure It is further ordered, That pleadings

(45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before temporary relief herein granted may be filed with the Division within forty-five the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of terminate or modify stay, ಭ

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless the Director shall otherwise order

Dated: October 6, 1941.

H. A. GRAY,

[SEAL] the above-entitled matter and applicain opposition to the original petition

Norr: The material contained in thece supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum TEMPORARY AND CONDITIONALLY PINAL BFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 3

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 Alphadelical list of code members—Supplement R-I

(Alphabetical listing of code members having rollway loading facilities, showing price clacalication by size group Noa.)

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set forth in § 323.8 (b) in Part 323 in Minimum Price Schedule. Group No. 1: 342, 343, 344, 346, 348. Group No. 3: 338, 339, 341, 1157. § 323.8 Speedal prices—(c) Railroad § 323.8 Special prices—Rallroad fuel prices for all movements except via lakes—Supplement R-H

For rallroad fuel prices add these mine index numbers to the respective groups

For rallroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (c) in Part 323 in fuel prices for movement via all lakes all ports—Supplement R-III

Group No. 1: Group No. 3: Minimum Price Schedule. 342, 343, 344, 345, 346, 348. 338, 339, 340, 341, 1157.

No. 204

[Prices in cents per not ton for shipment into all market areas]

FOR TRUCK SHIPMENTS

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11/4" sereenings

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO.

Prices in cents per net ton for shipment into all market areas] General prices—Supplement FOR TRUCK SHIPMENTS

Nore: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum	Price Schedule for District No. 7 and supplements thereto.	FOR ALL SHPATENTS EXCEPT TRUCK. § 327.11 Low volatile coals: Alphabetical list of code members—Supplement R [Alphabetical list of code members having ralicay loading facilities, showing price classifications by size groups for all uses except as separately shown]	* No.	1 2 3 4 5	541 Furrow, W. E Furrow 245 Gulf Smokeless Coal Tanns \$2.5 Gulf Smokeless Coal Tanns	Gompany. Harrison Coal Co. Harrison 4 War Creek.	691 Lynch, Chas. A Coolridge 2 Beckley Beaver, W. va. O. & O 10	† Indicates no classifications effective for these size groups.	18 327.34 General prices in cents per net ton for shipment into any market ared— Simplement T	
§ 323.23 General prices—Supplement T [Prices in cents per net ton for shipment into all market areas]	Siza groups	tiom size, f, egg 134" on size nd under	z Z', bo over 13 nd unde et, bott nea, Z' a resultai	han bla 14" at and 14" at and		339 Borgman #4. M. V. Freeport. Presion 225 225 225 200 200 190 180 339 Borgman #4. M. V. Freeport Presion 225 226 225 200 200 190 180	Borgiann #6. A. V. Froport. Preston 225 225 225 220 200 190 190 Scotch Hill Prittsburgh Preston 226 226 225 200 200 190 180 Scotch Hill Prittsburgh Preston 230 230 230 205 205 105 185	Warnick#1 Pittsburgh Harrison 223 218 Warnick#2 Pittsburgh Harrison 223 218	44 Warnick #3 Pittsburgh Harrison 223 218 218 193 193 178 163 45 Warnick #4 Pittsburgh Harrison 223 218 218 193 193 193 178 168 4	46 Warnick #5.1 Pittsburgh Harrison 223 218 218 193 193 193 178

F. R. Doc. 41–7794; Filled, October 16, 1941; 40:26 a. m.]

PRICE SCHEDULE, [Docket No. A-1044] DISTRICT No. 7 PART 327-MINIMUM

AND LIEF IN THE MATTER OF THE PETITION OF MENT OF PRICE CLASSIFICATIONS AND MIN-CONDITIONALLY PROVIDING FOR FINAL RE-DISTRICT BOARD NO. 7 FOR THE ESTABLISH-IMUM PRICES FOR THE COALS OF CERTAIN TEMPORARY RELIEF MINES IN DISTRICT NO. GRANTING

and ment thereto, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division the establishment, both temporary and minimum prices for the coals of certain by the above-named party, requesting An original petition and an amendpermanent, of price classifications mines in District No. 7; and

It appearing that a reasonable showing ing of temporary relief in the manner of intervention having of necessity has been made for the granthereinafter set forth; and No petitions

been filed with the Division in. . 1e aboveentitled matter, except as hereinafter

pur-It appearing that this action is necessary in order to effectuate the noted; and

[SZAL]

into any market area) is amended by Commencing, forthwith § 327.11 (Low volatile coals: Alphabetical list of code prices in cents per net ton for shipment plements are hereinafter set forth and members) is amended by adding thereto It is ordered, That, pending final disthe above-entitled matter, Supplement R, and § 327.34 (General adding thereto Supplement T, which suptemporary relief is granted as follows: hereby made a part hereof. position of

opposition to the original petition in the above-entitled matter and applications erning Practice and Procedure before rary relief herein granted may be filed with the Division within forty-five (45) suant to the Rules and Regulations Gov-It is further ordered, That pleadings in days from the date of this Order, purthe Bituminous Coal Division in Proceedto stay, terminate or modify the tempoings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937

herein granted shall become final sixty It is further ordered, That the relief unless the Director shall otherwise order (60) days from the date of this Order H. A. GRAY, Dated: September 30, 1941

195 enim Straight 8 Screened M/R [F. R. Doc. 41-7796; Filed, October 16, 1941; 10:27 a. m.] æ War Creek ... Poca. 4 Seam McDowell .. Ralolgh. County Subdistrict No. Tams #2 Harrison... Mine 88 Mine Index No. 246 (Clyde Gulf Smokeless Coal Com-Code member index ပိ pany Coal (Harrison).

[Docket No. A-1012]

CONDITIONALLY PROVIDING FOR FINAL RE-PRICE SCHEDULE, ORDER GRANTING TEMPORARY RELIEF DISTRICT No. 8 328—Minimum

LIEF IN THE MATTER OF THE PETITION OF

DISTRICT BOARD NO. 8 FOR THE ESTABLISH-MENT OF PRICE CLASSIFICATIONS AND MINment thereto, pursuant to section 4Π (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division IMUM PRICES FOR THE COALS OF CERTAIN An original petition and an amend-MINES IN DISTRICT NO. 8

by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and min-

The Director finding that a reasonable certain 벙 for the coals mines in District No. 8 and imum

showing of necessity has been made for

the granting of temporary relief in the petitions of intervention having been filed with the Division in the abovemanner hereinafter set forth; and ŝ

entitled matter; and

plement R, and § 328.34 (General prices Now, therefore, it is ordered, of the Act

ed as follows: Commencing forthwith, § 328.11 (Alphabetical list of code members) is amended by adding thereto Supsary in order to effectuate the purposes entitled matter, temporary rellef is grant-Commencing forthwith pending final disposition of the above-The Director deeming his action neces

for high volatile coals in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T, which supplements are hereinafter It is further ordered, That pleadings in forth and hereby made a part hereof set

opposition to the original petition in the relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to above-entitled matter and applications to stay, terminate or modify the temporary

Governing Regulations and Rules

herein granted shall become final sixty (60) days from the date of this Order, unless the Director shall otherwise order. H. A. GRAY, Dated: September 30, 1941.

[SEAL]

minous Coal Division in Proceedings Inthe Bituminous Coal Act of 1937.

It is further ordered, That the relief Practice and Procedure before the Bitustituted Pursuant to section 4 II (d) of

Norz: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto. TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO.

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Alphabetical list of code members—Supplement R

§ 328.11

FOR ALL SHIPMENTS EXCEPT TRUCK

Price classifications by size group

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[Prices in cents per net ton for shipment into all market areas]

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§ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T—Continued § 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T

[Prices in cents per net ton for shipment into all market areas]

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		Code member index			Suddistrict No. 1—Big Sandy- Elenory	PIKE COUNTY, RY.	Justice Coal Company (Miles Justice).	SUBDISTRICT NO. 2—HARLAN	HARLAN COUNTY, KY.	Priddy, Dan Smith, David L	Subdistrict No. 3—Hazard	Brrathit county, hy.	Wells, Coy	PERRY COUNTY, KY.	Durbin, F. M. (Campbell Coal	Hampton, Walter	WOLFE COUNTY, RY.	Subdistrict No. 4—Kanawha	MASON COUNTY, W. VA.	Obspman, Mervin Leport, Thomas.	Subdistrict No. 5—Logan	Koppers Coal Company, The	Subdistrict No. 6-Southern	APPALACHIAN BELL COUNTY, KY.	Tambert Loyd	TOTTOTO TO TOTOTOTOTOTOTOTOTOTOTOTOTOTO

· Indicates previously classified in this size group.

[F. R. Doc. 41-7798; Filed, October 16, 1941; 10:26 a. m.]

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[Docket No. A-1035]

Part 328—Minimum Price Schedule, DISTRICT No. DER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RE-LIEF IN THE MATTER OF THE PETITION OF MENT OF PRICE CLASSIFICATIONS AND MIN-IMUM PRICES FOR THE COALS OF CERTAIN DISTRICT BOARD NO. 8 FOR THE ESTABLISH-MINES IN DISTRICT NO. 8

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act porary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8; of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both tem-

The Director finding that a reasonable

Schedule for District No. 8 and supplements thereto.

showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having entitled matter; and The Director deeming his action necbeen filed with the Division in the above-

essary in order to effectuate the purposes of the Act;

It is ordered, That, pending final dis-

for high volatile coals in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T-I, and § 328.42 (General prices position of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (Alpha-betical list of code members) is amended by adding thereto Supplement R-I, by adding thereto Supplement R-I, § 328.21 (Alphabetical list of code members) is amended by adding thereto Supplement R-II, § 328.34 (General prices

low volatile coals) is amended by adding thereto Supplement T-II, which supplements are hereinafter set forth and hereby made a part hereof.

(Wine Index No. 2611) of Jessle Daugherty in Supplement No. 2 to the Schedule of Effective Minimum Prices for Dis-No minimum prices were established for the coals of the Daugherty & King Mine of F. J. Daugherty and Carl King, Jessie Daugherty and that minimum prices were established for the No. 1 Mine since the official records of the Division show that this mine was previously the No. 1 Mine (Mine Index No. 2611) of

trict No. 8 for Truck Shipments. No relief is granted herein to the Perkins Mine (Mine Index No. 2628) of J. E. Warrick, as this mine is affected by unique considerations set forth in an Order severing that portion of Docket No. A-1035, which relates to said mine,

Part II and granting temporary relief.
It is further ordered, That pleadings and designating it as Docket No. A-1035

tions to stay, terminate or modify the temporary relief herein granted may be filled with the Division within forty-five in opposition to the original petition in pursuant to the Rules and Regulations Governing Practice and Procedure Be-fore the Bituminous Coal Division in the above-entitled matter and applica-(45) days from the date of this Order, Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty unless the Director shall otherwise order (60) days from the date of this Order Dated: September 30, 1941.

H. A. GRAY,

Nore: The material in thece supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 32s, Minimum Price TEMPORARY EFFECTIVE MENIMUM PRICES FOR DISTRICT NO. 8

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 Alphabetical list of code members—Supplement R-I

[Abbabelicalist of codomembers baving relican loading facilities, chowing price classifications by biso groups for all uses except as separately chown]

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[Alphabetical list of code members having railway loading faellities, showing price classifications by size groups for all uses except as separately shown] § 328.11 Alphabetical list of code members-Supplement R-I-Continued

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*Previously classified this size group. †No classification effective for this size group.

§ 328.21 Alphabetical list of code members—Supplement R-II (Alphabetical list of code members having rallway loading facilities, showing price classifications by size groups, for all uses except as separately shown)

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\$ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T-I FOR TRUCK SHIPMENTS §328.34

General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T-I-Continued

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amended by adding thereto Supplement R-III, which supplements are hereinafter

§ 328.42 General prices for low volatile coals—Supplement T-II

(Prices in cents per net ton for shipment into all market areas)

Begg: Larger than Strong 37 top size Strength M/R Strengt	2 3 4 5 6 7 8			305 290 230 270 205 155 150
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Mine	,		•	Hilton Con Co.
. Code member index		Subdistrick No. 9.—Buchlarn County Low Volatics and Red Ast Mines in Vinginia and Wil- lianson Districts	BUCHANAN COUNTY, VA.	Hilton Coal Company (W. J. Hilton). Hilton Coal Co.

F. R. Doc. 41-7797; Filed, October 16, 1941; 10:28 at m.]

[Docket No. A-986]
Part 331—Minimum Price Schedule,
District No. 11

MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDIG FOR FINAL RELIEF IN THE MATTER OF THE FETATION OF DISTRICT BOARD NO. 11 FOR THE ESTABLISHMENT OF PRICES FOR THE CALLS OF THE LINTON NO. 23 MINE (MINE INDEX NO. 51) AND OF THE SPONSIER NO. 24 MINE (MINE INDEX NO. 78) IN DISTRICT NO. 11, FOR RAIL SHIPMENTS ORIGINATING ON THE PENNSYLVANIA RALLOAD

An original petition, filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requests the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Linton No. 23 Mine (Mine Index No. 51) and of the Sponsler No. 24 Mine (Mine Index No. 78) in District No. 11, for rail shipments originating on the Pennsylvania Rail-

Mine Index Nos. 51 and 78 have heretofore been served only by the Chicago, Milwaukee, St. Paul and Pacific Rallroad, and have been contained in Freight

Origin Group No. 61. The Pennsylvania Railroad has recently completed the construction of a rail connection with these mines which enables such mines to originate shipments of coal on the Pennsylvania Railroad tracks.

unate shipments of coal on the Pennsylvania Rallroad tracks.
Since the Linton No. 23 Mine and the Sponsler. No. 24 Mine are now served by both the C. M. St. P. & P. Rallroad and and the Pennsylvania Railroad, and can originate shipments of coal upon either rallroad, such mines should no longer be included in Freight Origin Group No. 61, which freight origin group includes mines whose shipments originate only on the C. M. St. P. & P. Instead, in view of the joint rail service available they should hereafter be included in Freight Origin Group No. 68.

The price classifications and minimum prices currently in effect for the coals. of the Linton No. 23 Mine and for the coals of the Sponsler No. 24 Mine for rail shipments originating upon the C. M. St. P. & P. Railroad will remain basically unchanged. However, since no price classifications or minimum prices have heretofore been established for the coals of the Linton No. 23 Mine, nor for the coals of the Sponsler No. 24 Mine for rail shipments originating upon the Pennsylvania R. R., the Director is of

the opinion trate temporary renes stroum
be extended to such coals by the establishment of price classifications and minimum prices for shipments originating on the Pennsylvania R. R., pending final disposition of this matter.

It appears that a reasonable showing f necessity has been made for the grantng of temporary relief in the manner ereinafter set forth; that no petitions f intervention have been filed with this livision in the above-entitled matter; and that the following action is necessary a order to effectuate the purposes of the

the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filled with the Division within forty-five

in opposition to the original petition in

It is further ordered, That pleadings

set forth and hereby made a part hereof.

pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in

(45) days from the date of this Order,

tion 4 II (d) of the Bituminous Coal Act of 1937.

Proceedings Instituted Pursuant to sec-

It is further ordered, That the relief herein granted shall become final sixty

in order to effectuate the purposes of the Act.

Now, therefore, it is ordered, That, pending final disposition of the above-entitled matter, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, § 331.5 (Alpha-betical list of code members) is amended by adding thereto Supplement R-I, prices) is amended by adding thereto Supplement R-I, and § 331.10 (Special

Dated: September 15, 1941.

Eseal H. A. Grax,

Director.

the Director shall otherwise

unless order.

(60) days from the date of this Order,

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11 NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11, and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK \$ 331.5 Alphabetical list of code members—Supplement R-I

Raliroad and shipping point	O. M. St. P. & P.—Lette. P. R. R.—Linon. O. M. St. P. & P.—Lette. P. R. R.—Linton.
Price group	13 9
Freight origin group No.	នន
solistrict	LS LS
Беат	IV V
Міве	Linton No. 23 Sponsler No. 24
Лате оf code member	Maumee Collieries Company, The Linton No. 23 Maumee Collieries Company, The Sponsler No. 24
Mine index No.	12 82 24

§ 331.9 Adjustments in f. o. b. mine prices—Supplement R-II

Deductions for Freight Rate Diffe ences Mine Index Nos. 51 and 78

(a) On shipments originating on the C. M. St. P. & P. Railroad—the deductions heretofore established for such mines when included in Freight Origin Group No. 61.

¹In no case shall the permissible deductions exceed that deduction applicable via the lowest rate route to any destination.

(b) On shipments originating on the Pennsylvania Railroad—the same deductions as have been established for mines included in Freight Origin Group No. 63.

(c) On shipments to Market Areas 32 and 33:

When originating on the C. M. St. P. & P. Railroad, the deductions heretofore established for Mine Index Nos. 51 & 18. When originating on the Pennsylvania

established for Mine Index Nos. 51 & 78. When originating on the Pennsylvania Railroad, the same deductions as established for Mine Index No. 48.

§ 331.10 Special prices: Railroad locomotive fuel—Supplement R-III

Prices for Railroad Locomotive Fuel

(a) On shipments to the C. M., St. P. & P. Rallroad—the prices heretofore established and currently in effect for Mine Index Nos. 78 and 51.

(b) On shipments to all rallroads other than the C. M. St. P. & P. Rallroad when originating upon the Pennsylvania Rallroad—the same prices as are established for Mine Index No. 48.

[F. E. Doc. 41-7795; Filed, October 16, 1941; 10:27 a. m.]

- [Dockels Nos. A-1068 and A-1069] Part 331—"finimum Price Schedule, Dieffic No. 11

PETITION OF DISTRICT BOARD NO. 11 FOR MATTER OF THE PETITION OF DISTRICT TRICT NO. 11, AND IN THE MATTER OF THE THE ESTABLISHMENT OF PRICE CLASSIFICA-TIONS AND MINIMUM PRICES FOR COALS PRODUCED FOR RAIL SHIPMENT AT THE 158) OF THE JASON-LINTON COAL CO., C/O ally providing for final relief in the BOARD NO. 11 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR COALS PRODUCED FOR TRUCK SHIPMENTS BY CENTAIN MINES IN DIS-JASON-LINTON MINE (MINE INDEX NO. ORDER OF CONSOLIDATION AND ORDER GRANT-ING TEMPORARY RELIEF AND CONDITION-EDWIN DENNETT, IN DISTRICT NO. 11

Original petitions having been duly filed with this Division by the abovenamed party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 11; and It appearing to the Director that the above-entitled matters raise similar and related issues; and

The Director finding that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

the granting of temporary relief in the manner hereinafter set forth; and No petitions of intervention having been filed with this Division in the above-entitled matters; and

The Director deeming his action necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters be, and the same hereby are, consolidated.

It s further ordered, That, pending final disposition of the above-entitled matters, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith § 331.5 (Alphabetical list of code members) is amended by adding thereto Supplement R-I, § 331.10 (Special prices; Railroad locomolive fuel) is amended by adding thereto Supplement R-II, and § 331.24 (General prices in cents per net ton for shipment into all market areas) is amended by

adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

the Bituminous Coal Division in Proceedings Instituted Pursuant to section

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters, and applications to stay, terminate, or modify the temporary relief herein granted may be filled with the Division within forty-five (45) days from the date of this order, pursuant to Rules and Regulations Governing Practice and Procedure Before

Dated: September 30, 1941. [SEAL]

H. A. GRAY,
Director.

TEMPORARY AND CONDITIONALLY FINAL BFFECTIVE MINIMAUM PRICES FOR DISTRICT NO. 11

Nore: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK
331.5 Alphabetical list of code members—Supplement R-I

3mod Sujddjug	Canal, Ind.
Rallroad	10 A. W. & W. Canal, Ind.
Price group	10
Freight erigin group No.	10
Sabdistrict	PA
हुताम	>
Mino	Jacon-Linton
Name of code member	Jacon-Linton Coal Co. c/o Edwin Bennett.
.oV zabnī enilā	221

¹ Mine Index No. 183 shall be included in Price Group 10 and shall take the came f. o. b. mine prices as other mines the foreign 10 in the School 10 in Price School 10 in Price School 10 in Price School 10 in Price School 10 in School 10 in 10 in the prices on account of differences in freight rates as other mines in Preight Origin Group 10 of the Princeton-Ayrchice Subdistrict having the same freight rates as other mines in Preight Origin

§ 331.10 Special prices; Railroad locomotive fuel—Supplement R-II Mine Index No. 168 shall be accorded the same prices for railroad locomotive

fuel as shown in § 331.10, Part 331, Minimum Price Schedule for District No. 11, for All Shipments Except Truck as are shown for Mine Index Nos. 36, 41, 92, 97.

FOR TRUCK SHIPMENTS

General prices in cents per net ton for slipment into all market areas—Supplement \$ 331.24

[Prices in cents per net ton for chipment into all market areas]

	Mine											Price	3 and	stro	Prices and eleo group Nos.	Nes	١.								ı
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DAVIESS COUNTY				<u>' </u>	<u> </u>	<u>} </u>	<u> </u>		•	<u>!</u>	İ	!		1		-	<u> </u>	1	1	Ļ	╀	Ļ	╁	1	1
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Davis, Olydo Jason-Linton Coal Co. cio Edwin Bennett.		169 Davis Inton	ដូច	- 655 655 655	- 55 - 55	270 215 240 230 223 3 270 215 210 230 223 3	88	88	==	52 58 091 021 021 921 931 031 032 52 58 091 021 021 921 931 031 032	- 120 170 170		55	.83				2	# #	r r r				#	ŧ

No. 204---3

[F. R. Doc. 41-7799; Filed, October 16, 1941; 10:29 a, m.]

Docket No. A-1032

Part 334—Minimum Price Schedule, DISTRICT No. 14

LISHMENT OF PRICE CLASSIFICATIONS AND LIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 14 FOR THE ESTAB-MINIMUM PRICES FOR THE COALS OF CER-GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RE-TAIN MINES IN DISTRICT NO. 14

1937, having been duly filed with this flons and minimum prices for the coals the granting of temporary relief in the tion 4 II (d) of the Bituminous Coal Act Division by the above-named party, requesting the establishment, both tempoof certain mines in District No. 14; and The Director finding that a reasonable showing of necessity has been made for rary and permanent, of price classifica-An original petition, pursuant to secmanner hereinafter set forth; and 늉

of intervention having been filed with the Division in the aboveentitled matter; and

The Director deeming that this action is necessary in order to effectuate the purposes of the Act:

Now, therefore, it is ordered, That, pending final disposition of the aboveentitled matter, temporary relief be, and by adding thereto Supplement R, and § 334.24 (General prices for shipment into all market areas) is amended by adding the same hereby is, granted as follows: Commencing forthwith, § 334.5 (Alphabetical list of code members) is amended which supplements are hereinafter.set forth and herethereto Supplement T, by made a part hereof.

pendent Coal Company, as it appears prices have been established herein for No price classifications and minimum the coals of the No. 2 mine of the Inde-

that this mine is the same as the Inde-pendent mine (Mine Index No. 54) for prices were established, effective October which price classifications and minimum

mum price of \$3.90 for Size Group 9 coal for truck shipment from the No. 3 mine (Mine Index No. 514) of J. H. Turniplar to those of the Quality mine (Mine Index No. 87) of the Quality Coal Company, for which a price classification of established. It appears that price classification "G" and minimum price \$4.05 are proper and should be established for classification for Size Group 9 coal for seed. The original petition states that "G" in Size Group 9, for all shipments except truck, and a minimum price of \$4.05, for truck shipments, have been all shipments except truck and a minithe coals produced at this mine are simi

the Size Group 9 coals of the No. 3 mine (Mine Index No. 514) in lieu of those proposed for such coals.

stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. opposition to the original petition in the above-entitled matter and applications to It is further ordered, That pleadings in

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order unless the Director shall otherwise order

[SEAL]

Dated: October 6, 1941.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 14

1, 1940.
The original petition proposed a "J"

Norz: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 334, Minimum Price Schedule for District No. 14 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

Alphabetical list of code members—Supplement R

(Alphabotical list of code members showing price classification by size group for all uses except milroad Jecomotive fuel)

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Price classification by size group	8	Щ
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FOR TRUCK SHIPMENTS § 334.24 General prices for shipment into all market areas—Supplement T

[Prices in cents per not ten for shipment into all market areas]

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Alford, J. E. (Alford Coal Company). Arrington, O. L. Boyel, O. W. Brizondine, H. B. Commady, J. H. Davics & Swindlo (T. E. Davics). Freeman & O. (Esia Freeman). Kelly Coal Co. (Bob Freeman). Kelly Coal Co. (Bob Kelly). Angmand, O. (Little Coalar Coal Co.) Ridmore Bres. Goal Co. (H. W. Skidmore). Tumipsced. J. F. (J. P. Tumipsced Coal Company). Whitten J. E. Whitten J. E. (R. E. Willis Coal Co.) Witter J. E. (R. E. Willis Coal Co.) Witter J. E. (R. E. Willis Coal Co.) Witter J. R. E. (R. E. Willis Coal Co.)	523 523 523 523 523 523 523 523 523 523	#1. LoFloro No. 1. LoFloro Brizendino. LoFloro Brizendino. LoFloro Oannady. LoFloro Wister Bunsilino. LoFloro Nelly. Tranklin Frieman. Franklin Frieman. Franklin Fra	LoFloro Johnson LoFloro LoFloro LoFloro LoFloro LoFloro LoFloro LoFloro Franklin Franklin Franklin Franklin LoFloro Gobactian LoFloro LoFloro Robactian LoFloro Sebactian LoFloro Robactian LoFloro Robactian	<u> </u>	460 428		88888 6 888888688888888888888888888888	416	425.	425. 426 426	425 425	426 426 416 416 406 305 200	405	3985	2500			200 2000	200	200 200 200 200 200 200 200 200 200 200		002 002 003 005 005 005 005 005 005 005	

[F. R. Doc. 41-7800; Filed, October 16, 1941; 10:29 a. m.]

[Docket No. A-1041] Part 335—Mirimium Price Schedule, District No. 15 NDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FIRAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOAND NO. 16 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMAL PRICES FOR CERTAIN COALS PROPED IN DISTRICT NO. 16

An original pelition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for coals produced by certain mines in District No. 16; and

The Director finding that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with this Division in the above-entitled matter; and

The Director deeming his action necessary in order to effectuate the furposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 335.5 (Alphabetical list of code members) is amended by adding thereto Supplement R, and § 335.24 (General prices in cents per net ton for slifment into all market areas) is amended by adding thereto Supplement T, which supplements are hereinatter set forth and hereby made a part hereof.

The Big 4 Mine of Big Four Coal Co. (Dock Smith) in District No. 15, listed in the original petition is not included in the attached rail supplement, designated as "Supplement R," for the reason that minimum prices have been established in Docket No. A-980 for rail shipment for the coals produced at this mine. It is surflice ordered. That alongings

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter, and applications to stay, terminate, or modify the temporary relief herein granted, may be filled dust from the date of this Order, pursuant to the Rules and Regulations Governing Fractice and Procedure before the Bituminous Coal Division in Proceed-

Ings Instituted Pursuant to section 4 II | unless the Director shall otherwise order (d) of the Bituminous Coal Act of 1937.

The surface orders and the relief

(d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order,

Dated: September 30, 1941.
[SEAL] H. A. GRAY,

TEMPORARY AND CONDITIONALLY FIRAL EFFECTIVE MINIMADE PRICES FOR DISTRICT NO. 15 NOTE: The material contained in these supplements lig to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 335, Minimum Price Schedule for District No. 15 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 335.6. Alphabetical Ust of code members—Supplement Repliehetical Ust of code members showing price classification by etc group for demectic, commercial, and industrial usa

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	Shipping point	Incleyylle, Okla, Appleton City, Mo.
uo;	Product Read N	F- C1 C3
	Mine name	Illians); Craig #2
	Codo member	Craig Coal Co (Frank B. W J. & W. Coal I Long & Kril Long),
x3p1	al pulls.	23 1485 1470

1 Mine previously classified as truck mine.

Nore.—A is Market Area list price as listed in Price Schedulo No. 1; O, minus 10 cents from list price.

General prices in cents per net ton for shipment into all market areas—Supplement T FOR TRUCK SHIPMENTS \$ 335.24

[Prices in cents per net ton for shipment into all market areas]

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1½", x ½ (R)	12	202 202 202 202 202 202 202 203 203 203
1½″ x 3g″	11	186 186 186 186 186 186 186 170 170 170 170 170 170 170 170 170 170
3" x 0	10	202 1887 1887 1887 1880 1880 1880 1880 1880
Mine	C	828282888888888888888888888888888888888
1½" x 1",	8	220 190 190 190 190 185 185 185 185 185 220 220
2" x 11/2"	2	246 246 195 195 195 195 205 205 205 205 205 205 205 205 205 20
3″x 11%″x	9	255 255 255 255 255 255 255 255 255 255
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10" x 11%"	4	22222222222222222222222222222222222222
10" x 1½"	63	
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		Linn, Kans. Lahyotto, Mo.
Produc-	group No.	
Min	277777	Olreso No. 11 Faulkon. I. & W. No. 2 I. A. Kolth Long & Kribbs. Blat Pit. Lowis #1. Even Co. St. P. & P. Coal Co. Skinor Walnut Grovo Walnut Grovo Walnut Grovo Walnut Grovo Joseph Wilson Coal Co., Inc.
Mino	No.	1465 1488 1488 1488 1474 1471 1471 1477 1,476 1,477 1,478
	Code memorating	Olreso Enterprises, Inc., c/o M. J. Olreso. Farmers Coal Mining Co. Farmers Coal Mining Co. Falliner, Leo. Lough, J. A. Morball, J. R. Morst & Son (Frank Mass). Morst & Son (Frank Mass). Morst & Coal Company (Ed Shipman). S. P. & P. Coal Company (Ed Shipman). W. A. L. Coal Company (R. W. Thurston). W. A. L. Coal Co. (O. B. Williams). Wallaco, J. M. Wilson Coal Co., Inc., Josoph, care of Estelle F. Wilson Coal Co., Inc., Josoph, care of Estelle F.

Norz.—Prices shown for Production Groups Nos. 2 and 3 in Sizo Groups Nos. 5, 6, 7, 8 and 10 are for washed coal. Raw or unwashed coal may be solid for 10 cents fast than the prices shown.

[F. R. Doc. 41–7801; Filed, October 16, 1941; 10:30 a. m.]

TITLE 47—TELECOMMUNICATION CHAPTER I—FEDERAL COMMUNICA-TIONS COMMISSION

Part 3—Rules Governing Standard and High Frequency Broadcast Stations The Commission, on October 14, 1941, effective immediately, cancelled Commission Order No. 74¹ and in lieu thereof adopted § 3.87 as follows:

§ 3.87 Program transmissions prior to local sunrise. (a) The provisions of §§ 3.6 3.8, 3.9, 3.10, 3.23, 3.79 and 3.84 shall not prevent the transmission of programs between four o'clock a. m., local standard time, and local sunrise, of standard broadcast stations with their authorized daytime facilities: Provided, That the provisions of this section shall not extend to:

during daytime hours either under licenses pursuant to which time-sharing agreements have been entered into or licenses specifying hours of operation, unless time-sharing agreements have been reached covering such operation prior to

15 FR.

ON local sunrise. Sections 3.74, 3.77 and 3.78 of the rules in this part shall be appropriately.

(2) Any Class II station causing interference ¹ by use of its daytime facilities. within the o.5mv/m 50% sky wave contour of any Class I station either of the United States or of any country party to the North American Regional Broadcasting Agreement.

(3) Operation by use of its daytime facilities of any Class II station on any Class II—A channel not assigned to the United States under the North American Regional Broadcasting Agreement.

(b) Any station operating during such

(b) Any station operating during such hours receiving notice from the Commission that undue interference is caused shall refrain from such operation during such hours pending further notice from the Commission.

(c) Nothing contained in outstanding instruments of authorization for such

except as herein provided.

**As determined by the Standards of Good

**Engineering Fractice Governing Standard
Broadcast Stations and the North American

Regional Broadcasting Agreement.

stations shall prohibit such operation

(d) The period 4:00 a. m. to 6:00 a. m., local standard time, shall not be included in determining compliance with § 3.71 of the rules in this part. (Sec. 4 (1), 48 Stat. 1068; 47 U.S.C. 154 (1)).

By the Commission.

SEAL] T. J. SLOWIE, Secretary.

[F. B. Doc. 41-7838; Filed, October 17, 1941; 11:38 a. m.] Part 4—Rules Governing Broadcast Services Other Than Standard Broadcast The Commission on October 14, 1941, effective immediately, made the following changes in its rules and regulations: Extended the effective date of § 4.45 Power requirement, of the rules governing international broadcast stations, to

January 25, 1942.

Amended § 4.261 (a) of the rules governing commercial television broadcast stations to read as follows:

§ 4.261 Ilthimum operating schedule.
(a) The licensee of each television broadcast station shall maintain a regular pro-

gram operating schedule transmitting a standard television signal for a total of 15 hours per week. There shall be at least 2 hours program transmission between 2 p. m. and 11 p. m. on six days of each week, including at least 1 hour program transmission between 7:30 and 10:30 p. m. on five days of each week. (Sec. 4 (1), 48 Stat. 1068; 47 U.S.C. 154 (1))

By the Commission. [SEAL] T. J. SLOWIE [F. R. Doc. 41-7839; Filed, October 17, 1941; 11:38 a. m.]

Secretary

Notices

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration. [Administrative Order No. 626] Allocation of Funds for Loins OCTOBER 8, 1941.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended,

I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Arkansas 2032A2 Benton	81,542,000
Georgia 2039D1 Hart	156,000
Georgia 2066D1 Taylor	79,000
Illinois 2008C1 Coles	252,000
Illinois 2031C1 Monroe	83,000
Illinois 2044C1 Carroll	110,000
Kentucky 2054C2 Wayne	166,000
Minnesota 2009C1 Goodhue	78, 000
Minnesota 2058C1 Kandiyohi	110,000
Minnesota 2066D1 Nobles	230,000
Minnesota 2072C1 Renville	115,000
Montana 2010D1 Madison	220,000
Montana 2016B1 Park	114,000
New Hampshire 2004D1 Merri-	
mack	190,000
North Carolina 2046B1 Madison_	235,000
Ohio 2088G1 Gallia	250,000
Oklahoma 2022D2 Cotton	180,000
Oregon 2004C1 Lincoln	465,000
Oregon 2005B1 Clatsop	10,000
Texas 2059D1 Lamb	103,000
Texas 2061D1 Coleman	70,000
Texas 2104B2 Mitchell	94,000
Wyoming 2014C1 Laramie	578,000
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[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 41-7833; Filed, October 17, 1941; 11:34 a. m.]

[Administrative Order No. 627] ALLOCATION OF FUNDS FOR LOANS

OCTOBER 8, 1941.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Alaska 2002S1 Matanuska	\$30,000
Colorado 2029S3 Phillips	35,000
Florida 2016S4 Sumter	10,000
Georgia 2051S2 Newton	10,000
Georgia 2074S6 Jefferson	30,000
Georgia 2074S6 Jefferson Georgia 2075S3 Lamar	10,000
Georgia 2083S2 Jackson	20,000
Georgia 2084S2 Cobb	10,000
Georgia 2090S3 Candler	15,000
Idaho 2017S4 Fremont	5,000
Minnesota 2003S2 Meeker	5,000
Minnesota 2032S4 Fillmore	10,000
Minnesota 203454 Stearns	10,000
Minnesota 2039S4 Chippewa	10,000
Minnesota 2048S6 Anoka	5,000
Minnesota 2053S3 Waseca	4, 000
Minnesota 2057S6 Ottertail	6,000
Minnesota 2060S1 Redwood	7,000
Minnesota 2063S4 Scott	19,000
Minnesota 2065S4 Dakota	15,000
Minnesota 2066S1 Nobles	10,000
Minnesota 2073S1 Pipestone	15,000
Minnesota 2074S4 Norman	12,000
Minnesota 2079S4 Big Stone	15, 000
Minnesota 2082S3 Becker	12,000
Minnesota 2089S2 Pine	11,000
Missouri 2035S2 Adair Nebraska 2004S6 Polk District	12,000
Public	6, 500
Nebraska 2062S2 Seward District	
Public	1,900
Nebraska 2063S3 Stanton District	
Public	6, 500
Nebraska 2076S7 Southern Ne-	
braska District Public	
North Dakota 2008S3 Benson	
North Dakota 2011S6 Cass	
North Dakota 2017S3 McHenry	
North Dakota 2019S5 Grand Forks	
South Carolina 2028S2 Williams-	
burg	12,000

Project designation: Amount
South Carolina 2033S2 Cherokee... 10,000
South Dakota 2013S1 Custer...... 16,000
Wisconsin 2055S4 Adams........ 10,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 41-7834; Filed, October 17, 1941; 11:34 a. m.]

[Administrative Order No. 623]
ALLOCATION OF FUNDS FOR LOANS

October 9, 1941.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project Designation: Amount Kentucky 2059GT1 Fayette.___ \$2,000,000

[SEAL] HARRY SLATTERY,

Administrator.

[F. R. Doc. 41-7835; Filed, October 17, 1941; 11:34 a. m.]

Surplus Marketing Administration.

ORDER SUSPENDING THE LICENSE FOR MILK, KALAMAZOO, MICHIGAN, SALES AREA

Henry A. Wallace, Secretary of Agriculture of the United States of America, pursuant to the provisions of Public Act No. 10, 73d Congress, issued on June 30, 1934, effective July 1, 1934, the license for milk—Kalamazoo, Michigan, sales area. Such license was last amended May 29, 1935, effective June 1, 1935.

It appearing that, under present conditions, the regulation of the handling of milk in said sales area under said license is no longer necessary, it is hereby determined, pursuant to the powers conferred upon the Secretary of Agriculture by section 8c (16) (A) of Public Act No. 10, 73d Gongress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, that the license for milk-Kalamazoo, Michigan, sales area, as amended, does not tend to effectuate the declared policy of the act and that such license shall be, and the same hereby is, suspended until further order.

This order of suspension shall be effective as of 11:59 p. m., c. s. t., July 31, 1941.

Merle E. Drake, Market Administrator under such license, is hereby ordered and directed to liquidate immediately the business of the Market Administrator's office in accordance with the terms and provisions of such license.

Done at Washington, D. C., this 16th day of October 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 41-7837; Filed, October 17, 1941; 11:35 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF OPPORTURITY TO SUEMIT WRITTER BRIEFS IN THE MATTER OF THE RECOMMENDATION OF INDUSTRY COMMITTEE NO. 28 FOR A MINIMUM WAGE IN THE KNITTED AND MEN'S WOVEN UNDERWEAR AND COMMERCIAL KHITTING INDUSTRY

Whereas a hearing has been held on October 13, 1941, before Major Robert N. Campbell, Presiding Officer, at which all persons interested in the report and recommendation of Industry Committee No. 28 for the fixing of a minimum wage rate in the knitted and men's woven underwear and commercial knitting industry were given an opportunity to be heard and to offer evidence bearing thereon; and

Whereas the complete record of said hearing has been transmitted to the Administrator,

Now, therefore, Notice is hereby given:

That the Administrator will receive written briefs (not fewer than twelve coples) on or before October 25, 1941, at the Department of Labor, Washington, D. C., from any person who entered an appearance at said hearing.

Signed at Washington, D. C., this 16th day of October 1941.

Baird Shyder III, Acting Administrator.

[F. R. Doc. 41-7840; Filed, October 17, 1941; 11:46 a. m.]

Notice of Opportunity To Submit Written Briefs in the Matter of the Recommendations of Industry Committee No. 36 for Minimum Wages in the Woolen Industry

Whereas a hearing has been held on October 15, 1941, before Major Robert N. Campbell, Presiding Officer, at which all persons interested in the report and recommendation of Industry Committee No. 36 for the fixing of a minimum wage rate in the Woolen Industry were given an opportunity to be heard and to offer evidence bearing thereon; and

Whereas the complete record of said hearing has been transmitted to the Administrator,

Now, therefore, notice is hereby given:

That the Administrator will receive written briefs (not fewer than twelve copies) on or before October 31, 1941, at the Department of Labor, Washington, D. C., from any person who appeared at said hearing.

Signed at Washington, D. C., this 16th day of October 1941.

BAIRD SNYDER III, Acting Administrator.

[F. R. Doc. 41-7841; Filed, October 17, 1941; 11:46 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5701]

In the Matter-of Carolina Power & Light Company

ORDER POSTPONING HEARING

OCTOBER 14, 1941.

It appearing to the Commission that:

On September 23, 1941, the hearing in the above-entitled proceeding was postponed by the Commission to October 20, 1941:

The Commission finds that:

Good cause exists for further postponement of the hearing;

The Commission orders that:

The hearing in this proceeding heretofore set to reconvene on October 20, 1941, be and it is hereby postponed to October 27, 1941, at 9:45 a. m., in the Federal Court Room of the Federal Building, Raleigh, North Carolina.

By the Commission.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 41-7817; Filed, October 17, 1941; 9:40 a. m.]

[Docket No. DI-163]

IN THE MATTER OF PACIFIC GAS AND ELECTRIC COMPANY

ORDER FIXING DATE FOR ORAL ARGUMENT

OCTOBER 14, 1941.

Upon declaration of intention filed on July 14, 1941, as amended on July 18, 1941, by Pacific Gas and Electric Company (hereinafter called "declarant"), to construct a dam and hydroelectric power project (known as and hereinafter designated as its Pit 5 development) on the Pit River in Shasta County, California; and

It appearing to the Commission that briefs and reply briefs have been filed by counsel for the declarant and the Commission, but that certain of the issues in the proceeding are not adequately treated in such briefs, and oral argument in the proceeding is necessary and desirable:

The Commission orders that:

(A) Oral argument in this proceeding be heard by the Commission en banc (or by three members thereof), and by the Trial Examiner heretofore designated, at 9:45 a.m., E. S. T., on October 24, 1941, in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.;

(B) Said oral argument shall include argument upon the facts and law upon:

(1) Whether or not the Pit River is a navigable water of the United States as defined in the Federal Power Act; and

(2) Whether or not the interests of interstate or foreign commerce (other than navigation) will be affected by the proposed Pit 5 development; and

(3) Whether or not the construction of the proposed Pit 5 development on the

Pit River will affect the navigable capacity of any navigable waters of the United States; and

(4) Whether or not it is appropriate, expedient, and in the public interest, in order to give proper effect to the Federal Power Act to incorporate in one license those developments on the Pit River presently partially or completely constructed known as Pit Nos. 3 and 4, and the proposed Pit 5 development; and

(5) Any other matters properly within the scope of this proceeding.

By the Commission.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 41-7819; Filed, October 17, 1941; 9:40 a. m.]

[Project No. 1853]

IN THE MATTER OF FIRST IOWA HYDRO-ELECTRIC CO-OPERATIVE

ORDER FIXING DATE OF HEARING

OCTOBER 14, 1941.

Upon application filed August 11, 1941, by First Iowa Hydro-Electric Co-operative of Muscatine, Iowa, for license for a proposed project to be located on Cedar River in Muscatine and Cedar Counties, Iowa, affecting public lands of the United States; and

It appearing that a public hearing is desirable in order to allow applicant and other interested parties an opportunity to make representations regarding the effect of such project;

It is ordered. That:

A public hearing on said application be held on November 12, 1941, beginning at 10:00 a.m., (C. S. T.) in Room 900, U. S. Customhouse, 610 S. Canal Street, Chicago, Illinois.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 41-7818; Filed, October 17, 1941; 9:40 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4065]

IN THE MATTER OF MID-CONTINENT PETRO-LEUM CORPORATION, A CORPORATION

ORDER APPOINTING TRIAL EXAMINER AND FIX-ING TIME AND PLACE FOR TAKING TESTI-

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of October, A. D. 1941.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41).

It is ordered, That Lewis C. Russell, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, October 24, 1941, at ten o'clock in the forenoon of that day (eastern standard time) in the Hearing Room, Federal Trade Commission Building, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Trial Examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, Secretary.

[F. R. Doc. 41-7820; Filed, October 17, 1941; 11:23 a, m.]

[Docket No. 4457]

IN THE MATTER OF PARIS BEAD AND NOVELTY HOUSE, INC., INTERNATIONAL MERCHAN-DISE CO., INC., CORPORATIONS, AND MAX BRESSLER, RUTH BRESSLER AND RALPH KOROL, INDIVIDUALS

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 15th day of October, A. D. 1941.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41),

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, November 10, 1941, at ten o'clock in the forenoon of that day (central standard time) in Room 1123, New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

Otis B. Johnson, Secretary.

[F. R. Doc. 41-7821; Filed, October 17, 1941; 11:23 a. m.]

[Docket No. 4458]

IN THE MATTER OF ELGIN RAZOR CORPORATION, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIX-ING TIME AND PLACE FOR TAKING TESTI-MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of October, A. D. 1941.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41).

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, November 10, 1941, at ten o'clock in the forenoon of that day (Central Standard Time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-7822; Filed, October 17, 1941; 11:23 a. m.]

SECURITIES AND EXCHANGE COM-MISSION.

[File No. 59-37]

IN THE MATTER OF CENTRAL ILLINOIS
PUBLIC SERVICE COMPANY

NOTICE OF AND ORDER INSTITUTING PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 16th day of October, A. D. 1941.

The Commission having data in its official files and records establishing or tending to establish the following matters:

- 1. Central Illinois Public Service Company (hereinafter called Central) is a corporation organized under the laws of the State of Illinois and maintains a principal office in the City of Springfield, State of Illinois. Central is an electric and gas utility company within the meaning of Sections 2 (a) (3) and 2 (a) (4) of the Public Utility Holding Company Act of 1935 and is a subsidiary of The Middle West Corporation, a registered holding company under the Act.
- 2. As at August 31, 1941, Middle West owned 38,564 shares of \$6 Preferred of Central, or 13.8% of the issue and 193,321 shares of the common or 74.26% of the issue. Halsey, Stuart & Co., Inc. owns the remainder of the common stock consisting of 67,022 shares or 25.74%, but has been exempted by the Commission from the duties and obligations of a holding company with respect to said holdings.

3. The capitalization and surplus of Central per balance sheet of August 31, 1941, were as follows:

	Principal amount or stated value	Per- cent
Funded debt	847,000,000 20,014,665 10,413,720 12,978,648	54.0 20.6 11.9
Total	\$37,697,233	199.0

- ¹ Subject to preferred dividend errors aggregating \$6,833,236 as at Aug. 31, 1941.
- 4. The \$6 cumulative no par and 6% cumulative \$100 par preferred stocks rank equally as to dividends, and in liquidation, each class has a liquidating value of \$100 per share plus unpaid cumulative dividends.
- 5. The \$6 issue is entitled on involuntary liquidation to \$100 per share, but the stated value is \$1,892,335 less than the total involuntary liquidation value of \$27,914,300. The 6% issue, having the par value of \$100, is stated at this amount on the books of the applicant, or \$593,000. The company has prepared a balance sheet as of August 31, 1941, showing the interests of the preferred stockholders at a lesser figure than they would be entitled to in liquidation under the most adverse circumstances.
- 6. On September 30, 1938, when Central undertook its last refinancing it had preferred dividend arrears of \$5,837,000, which was equivalent to \$20.50 per share. On the basis of figures as at August 31, 1941 and submitted with an application filed by Central, pursuant to Section 6 (b) of the Public Utility Holding Company Act of 1935 (File No. 70-406), these dividend arrears are now \$6,833,256, or \$24 per share on each class of preferred stock.
- 7. The common stock equity as per books is stated to be as follows:

Common stock (\$40 par) 810,413,720
Paid-in surplus 63,146
Earned surplus since March 1,
1933 2,915,402

13, 392, 268

8. Each share of common and preferred stock votes share for share on all questions at all times, each share having one vote. As of August 31, 1941, the distribution of voting power among the classes of stockholders and among owners was as follows:

	Total		Owned clibbild	by West
CIPS issues	ent- eut- stond- ing	Per- cent	Num- ber of shares	Per- cent of total
Common (par. \$49) \$8 Pld. (no par) 6% Pld. (par \$109)	200,343 278,763 6,003	47.76 51.15 1.67	23, W. 187, 231	74.29 13.83
Total chares having voting rights	545,002	199.0	231,835	42.54

9. Central has at present a plant account (including \$1,930,000 intangibles) of \$89,232,000 Less contributions for construction of 70,000 Utility plant less contributions \$23,212,000 Reserve for depreciation 6,655,000 Percent of reserve to utility plant 7.46

It appears that the policy of Central in the past has resulted in a depreciation reserve which is inadequate to the extent of at least \$2,266,000.

- 10. Central's property account includes at least \$5,616,000 representing excess cost to the company over the cost of properties to affiliates.
- 11. There is presently carried on the books an item of unamortized debt discount and expense of \$4,005,388 applicable to refunded issues as well as refunding issues. This amount is being amortized over the shortest of the lives of such issues.

It appearing to the Commission in the light of the foregoing that it is appropriate in the public interest and in the interest of investors and consumers to institute proceedings against Central pursuant to sections 11 (b) (2) and 15 (f) of the Public Utility Holding Company Act of 1935 in order to determine:

- 1. Whether the facts set forth above are true and accurate.
- 2. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to require that Central restate its plant and investment, surplus, capital, and other accounts, pursuant to Section 15 (f) of the Public Utility Holding Company Act of 1935 and rules thereunder so as to segregate, dispose of, and eliminate writeups and intangibles in the plant investment and other accounts, set up adequate reserves for retirements and depreciation of plant and property, and make other adjustments in conformity with the Uniform System of Accounts of the Federal Power Commission and the standards of the Public Utility Holding Company Act of 1935.
- 3. Whether for the purpose of fairly and equitably distributing voting power among the security holders of Central pursuant to the provisions of section 11 (b) (2) of the Act, it is necessary or appropriate to require that Central shall revise and simplify its capital structure and take other steps to fairly and equitably redistribute voting power among its security holders.
- 4. Whether the treatment of debt discount and expense described in paragraph (11) above is proper in the circumstances.

It is ordered, That a hearing on such matters under the applicable provisions of the Act and rules of the Commission thereunder be held on November 24, 1941 at 10:00 a.m. at the offices of the Securities and Exchange Commission, 1778 Pennsylvania Avenue NW., Washington.

D. C. On such day the hearing room clerk in room 1102 will advise as to the room where such hearing will be held.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exert all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

By the Commission.

[SEAL]

Francis P. Brassor, Secretary.

[F. R. Doc. 41-7823; Filed, October 17, 1941; 11:26 a. m.]

[File No. 813-1]

In the Matter of Electrical Securities Corporation

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 16th day of October, A. D. 1941.

An application having been duly filed by the above-entitled party for an order, pursuant to section 6 (b) of the Investment Company Act of 1940, exempting the applicant from the provisions of that Act:

It is ordered, That a hearing on such matter be held on October 29, 1941, at 10:00 o'clock in the forenoon, at the Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On that day, the hearing room clerk in Room 1102 will advise as to the room where such hearing will be held.

It is further ordered, That Charles S. Lobingier, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in the matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under sections 41 and 42 (b) of the Act and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other person whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL]

Francis P. Brassor, Secretary.

[F. R. Doc. 41-7824; Filed, October 17, 1941; 11:26 a, m.]

[File No. 813-2]

IN THE MATTER OF G. E. EMPLOYEES' SE-CURITIES CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 16th day of October, A. D. 1941.

An application having been duly filed by the above-entitled party for an order, pursuant to section 6 (b) of the Investment Company Act of 1940, exempting the applicant from the provisions of that Act;

It is ordered, That a hearing on such matter be held on October 29, 1941, at 10:15 o'clock in the forenoon, at the Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day, the hearing room clerk in Room 1102 will advise as to the room where such hearing will be held.

It is further ordered, That Charles S. Lobingier, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in the matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under sections 41 and 42 (b) of the Act and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other person whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL]

Francis P. Brassor, Secretary.

[F. R. Doc. 41-7825; Filed, October 17, 1941; 11:26 a. m.]

[File No. 812-214]

In the Matter of Business Property Associates

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 16th day of October, A. D. 1941.

An application under section 6 (c) of the Investment Company Act of 1940 having been duly filed by the above named applicant, a registered closed-end management investment company for an order granting an exemption to November 1, 1941 from the provisions of section 30 (d) and Rule N-30D-1 requiring the petitioner to submit reports to its stockholders on or before September 30, 1941.

It is ordered, That a hearing on the matter of this application be held on October 22, 1941 at 10:15 o'clock in the

forenoon of that day at the Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1102 will advise the interested parties where such hearing will be held.

It is further ordered, That Charles S. Lobingier, Esquire or any officer or officers of the Commission designated by it for that purpose shall preside at such hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant or to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] Francis P. Brassor, Secretary.

[F. R. Doc. 41-7826; Filed, October 17, 1941; 11:26 a. m.]

[File No. 1-2554]

IN THE MATTER OF NEW SUTHERLAND DIVIDE
MINING COMPANY COMMON CAPITAL
STOCK, 10¢ PAR VALUE, ASSESSABLE

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 16th day of October, A. D., 1941.

The Commission having, under date of September 29, 1941, ordered that a hearing be held pursuant to section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, at 10:00 A. M. on October 21, .1941, at the Commission's Regional Office, 625 Market Street, San Francisco, California, to determine whether registration of the Common Capital Stock, 10¢ Par Value, Assessable, of New Sutherland Divide Mining Company on the San Francisco Mining Exchange should be suspended for a period not exceeding twelve months or be withdrawn, and the registrant having subsequently on October 6, 1941, filed with the Commission an amendment to its annual report on Form 10-K for the fiscal year ended December 31, 1940;

It is ordered, That such hearing be postponed to December 1, 1941, at the time and place hereinabove specified.

By direction of the Commission.

[SEAL] Francis P. Brassor, Secretary.

[F. R. Doc. 41-7827; Filed, October 17, 1941; 11:26 a. m.]

[File No. 59-33]

IN THE MATTER OF COLUMBIA GAS & ELECTRIC CORPORATION, COLUMBIA OIL & GASOLINE CORPORATION, PANHANDLE EASTERN PIPE LINE COMPANY, MICHIGAN GAS TRANSMISSION CORPORATION, AND INDIANA GAS DISTRIBUTION CORPORATION, RESPONDENTS

[File No. 70-263]

In the Matter of Columbia Gas & Elec-TRIC CORPORATION

[File No. 70-371]

IN THE MATTER OF COLUMBIA OIL & GAS-OLINE CORPORATION

[File No. 70-387]

IN THE MATTER OF PANHANDLE EASTERN PIPE LINE COMPANY

ORDER DISPOSING OF APPLICATIONS TO BE HEARD, GRANTING ADJOURNMENT OF HEAR-ING, AND DIRECTING PROCEDURE TO BE FOL-LOWED IN PRESENTATION OF EVIDENCE UPON RECONVENING OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D C., on the 15th day of October, A. D. 1941.

Missouri-Kansas Pipe Line Company, a Delaware corporation, having filed an application alleging that it is the holder and owner of 42% of the common stock of Panhandle Eastern Pipe Line Company, and requesting permission to adduce evidence, cross-examine witnesses, file briefs, present oral argument, and generally to be heard in connection with this proceeding insofar as it affects Panhandle Eastern Pipe Line Company; and

William H. Danforth, having filed an application alleging that he is the legal and beneficial owner of 98,756 shares of the common stock of Columbia Oil & Gasoline Corporation, and a trustee of a trust holding 25,934 additional shares of said common stock, and requesting permission to intervene in this proceeding, or, in the alternative, to be heard and to participate in the proceeding to the extent of receiving copies of all papers served by or upon the parties hereto, introducing evidence, cross-examining witnesses, objecting to evidence heretofore offered and incorporated in this proceeding or hereafter offered, and the right to file briefs and present oral argument: and

Abner Goldman, having filed an application alleging that he is the owner of 500 shares of the common stock of Columbia Gas & Electric Corporation, and requesting the right to participate in this proceeding, to adduce evidence, crossexamine witnesses, present written and oral argument, and be heard generally in connection therewith, so far as the same concerns the exchange by Columbia Gas & Electric Corporation of certain shares of preferred stock for the securities of certain wholly-owned subsidiaries of Columbia Oil & Gasoline Corporation; and

The Commission having heard argument on the aforementioned applications

and with respect to the order in which evidence should be presented in the consolidated proceeding, and being of the opinion that the requests of the abovenamed applicants should be granted to the extent hereinafter indicated, and deeming it necessary and appropriate that evidence should first be presented with respect to the issues arising under section 11 (b) (1) of the Public Utility Holding Company Act:

It is ordered, That Missouri-Kansas Pipe Line Company be, and it hereby is, granted the limited right to participate in this proceeding to the extent of adducing evidence, cross-examining witnesses, filing briefs, and presenting oral argument: Provided, however, That this order shall not confer upon Missouri-Kansas Pipe Line Company the status of a party to this proceeding; and

It is further ordered, That the application of William H. Danforth, insofar as it requests permission to intervene be. and it hereby is, denied, without prejudice, however, to the limited right of the said William H. Danforth to participate in this proceeding to the extent of adducing evidence, cross-examining witnesses, filing briefs, and presenting oral argument: Provided, however, That this order shall not confer upon William H. Danforth the status of a party to this proceeding; and

It is further ordered. That Abner Goldman be, and he hereby is, granted the limited right to participate in this proceeding to the extent of adducing evidence, cross-examining witnesses, filing briefs, and presenting oral argument: Provided, however, That this order shall not confer upon Abner Goldman the status of a party to this proceeding; and

It is further ordered, That upon the resumption of hearings in this proceeding, evidence bearing upon the issues raised under section 11 (b) (1) of the Act shall first be introduced and that thereafter evidence relating to the remaining issues in the proceeding shall be introduced in accordance with the further direction of the Commission.

Counsel for Columbia Oil & Gasoline Corporation having indicated to the Commission at oral argument that additional time would be necessary in order to make adequate preparation for the presentation of evidence with respect to the issues raised under section 11 (b) (1) of the Act; and the Commission deeming it appropriate to grant an adjournment to permit such preparation;

It is further ordered, That hearings in this matter be adjourned to ten o'clock in the forencon of October 28, 1941, at the same place and before the same officer of the Commission as specified in the notice and order of the Commission, dated August 25, 1941.

By the Commission.

FRANCIS P. BRASSOR, [SEAL] Secretary.

[F. R. Doc. 41-7828; Filed, October 17, 1941; 11:26 a. m.]

[File No. 70-403]

IN THE MATTER OF CENTRAL ILLINOIS PUBLIC SERVICE COMPANY (PUBLIC UTILITY HOLDING COMPANY ACT OF 1935)

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 16th day of October, A. D. 1941.

Central Illinois Public Service Company, a subsidiary of The Middle West Corporation, a registered holding company, having filed an application and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly section 6 (b) thereof and Rules U-23 and U-50 thereunder. regarding the issue and sale of \$38,000,000 principal amount of its First Mortgage Bonds, Series A, 3%%, due October 1, 1971 and \$9,000,000 principal amount of 2%, 234% and 3% unsecured notes due serially April 1, 1942-October 1, 1951, and the redemption of \$33,000,000 principal amount of outstanding First Mortgage Bonds, Series A, 31/4%, due December 1, 1968 of the company and to the redemption (or payment at maturity) of \$9,000,000 principal amount of outstanding Serial Debentures, 31/2% and 4%, of the company, due serially December 1, 1941-December 1, 1948, funds for such redemption being provided by the issue and sale of the securities above described. together with other funds of the applicant to the extent required, the applicant to publicly invite proposals for the purchase of the bonds in accordance with the Commission's Rule U-50; and

Central Illinois Public Service Company having filed a declaration, in the form of an amendment herein regarding solicitation of authorizations of its preferred stockholders in connection with the above described transaction pursuant to section 12 (e) of the Act and Rules U-61 and U-62 thereunder and the Commission by order dated October 14, 1941 having permitted such declaration to

become effective; and

The Commission having this date entered a "Notice Of and Order Instituting Proceedings under sections 11 (b) (2) and 15 (f) of the Public Utility Holding Company Act of 1935" against Central Illinois Public Service Company, Commission's File No. 59-37; and

Said application pursuant to section 6 (b) having been filed on September 26, 1941, and certain amendments having been filed thereto, the last of said amendments having been filed on October 16, 1941, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Central Illinois Public Service Company having requested that said application, as filed or as amended, be granted on or before October 16, 1941; and

The Commission finding with respect to said application under section 6 (b) of the Act that the applicable provisions of said section 6 (b) have been satisfied; and that Central Illinois Public Service Company is entitled to an exemption from the provisions of section 6 (a) of the Act with respect to the issue and sale of said securities; and being satisfied that the date of granting such application as amended should be advanced;

It is hereby ordered, That said application as amended be and the same is hereby granted forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and to the following further conditions:

- 1. That a copy of the "Notice Of and Order Instituting Proceedings under sections 11 (b) (2) and 15 (f) of the Public Utility Holding Company Act of 1935", mentioned above, be furnished to prospective bidders for the purchase of the bonds; and
- 2. That applicant report to the Commission the results of the competitive bidding as required by Rule U-50 (c) and comply with such supplemental order as the Commission may enter in view of the facts disclosed thereby.

By the Commission, Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 41-7829; Filed, October 17, 1941; 11:27 s. m.]

[File No. 70-406]

IN THE MATTER OF CENTRAL ILLINOIS
PUBLIC SERVICE COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 14th day of October, A. D. 1941.

Central Illinois Public Service Company, a subsidiary of The Middle West Corporation, a registered holding company, having filed an application and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly section 6 (b) thereof and Rules U-23 and U-50 thereunder, regarding the issue and sale of \$38,-000,000 principal amount of its First Mortgage Bonds, Series A, 3%%, due October 1, 1971 and \$9,000,000 principal amount of 2%, 23/4% and 3% unsecured notes due serially April 1, 1942-October 1, 1951, and the redemption of \$38,000,000 principal amount of outstanding First Mortgage Bonds, Series A, 33/4%, due December 1, 1968 of the company and to the redemption (or payment at maturity) of \$9,000,000 principal amount of outstanding Serial Debentures, 31/2% and 4%, of the company, due serially December 1, 1941-December 1, 1948, funds for such redemption being provided by the issue and sale of the securities above described, together with other funds of the applicant to the extent required, the applicant to publicly invite proposals for the purchase of the bonds in accordance with the Commission's Rule U-50; and

Central Illinois Public Service Company having filed a declaration, in the form of an amendment herein, regarding solicitation of authorizations of its preferred stockholders in connection with the above described transaction pursuant to section 12 (e) of the Act and Rules U-61 and U-62 thereunder;

Said declaration containing copies of the proposed letter to stockholders, notice of special meeting of stockholders, proxy and proxy statement and a full statement of the manner in which the solicitation is proposed to be made;

The applicant having requested that the declaration in respect of the proxy solicitation material be considered and disposed of independently of the principal transaction and that the Commission enter its separate order permitting the within declaration as to all such proxy solicitation material to become effective;

It appearing that the solicitation of authorizations of the preferred stockholders as proposed to be conducted does not make it necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of the Act or the Rules and Regulations thereunder that the Commission issue any order with respect thereto other than an order permitting the declaration as to such solicitation to become effective;

It is therefore ordered, That, without passing upon the merits of the application filed pursuant to section 6 (b), the declaration as to solicitation of authorizations be and it is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] Francis P. Brassor,
Secretary.

[F. R. Doc. 41-7830; Filed, October 17, 1941; 11:27 a. m.]